

AGENDA
ROCKWALL CITY COUNCIL
Monday, January 07, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussions regarding the purchase and value of real property from Aqua Operations Inc. regarding the right to serve Lake Rockwall Estates, including acquisition of easements and the system pursuant to Section 551.072 (deliberations about real property) and Section 551.071 (consultation with attorney).
3. Discussion regarding the deliberation of appointments of public officers to the Board of Adjustment and Building Standards Commission pursuant to Section 551.074 (personnel matters).
4. Discussion regarding negotiations for amended Development Agreement with Harbor Heights Investors, L.P. within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
5. Discussion regarding deliberation of appointment of City Attorney pursuant to Section 551.074 (personnel matters).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, January 07, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING AND TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER LEWIS

VI. PROCLAMATIONS / AWARDS

1. Citizens on Patrol Recognition

VII. OPEN FORUM

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the December 17, 2012 regular city council meeting, and take any action necessary.
2. Consider approval of a resolution endorsing the Texas Coalition for Affordable Power 2013 Legislative Agenda, and take any action necessary.
3. Consider rescinding the bid award to Mishler Builders for the addition of bedrooms at Fire Station No. 2 and take any action necessary.
4. Consider approval of a bid award for Harbor Fountain repairs to RNDI Companies Inc. in the amount of \$44,550 to be funded out of general fund reserves; giving the City Manager authority to negotiate and execute a time and materials contract for this work, and take any action necessary.
5. Consider approval for the purchase of an EZ Breaker concrete breaking machine for the Streets Dept. in the amount of \$28,875 to be funded by contractual obligations; giving the City Manager authority to negotiate and execute a contract for this equipment, and take any action necessary.
6. Consider approval of a bid award for Watson dispatch console furniture in the amount of \$48,146.13 to be funded as part of the Police Building remodel project; giving the City Manager authority to negotiate and execute a contract for this furniture, and take any action necessary.
7. Consider approval of a bid award for two Harley Davidson Police Pursuit Motorcycles in the amount of \$40,446.10 to be funded by contractual obligations; giving the City Manager authority to negotiate and execute a contract for this equipment, and take any action necessary.
8. **Z2012-018** - Consider approval of an **ordinance** for a request by Hallie Fleming for the approval of a Specific Use Permit (SUP) to allow for a retail use in conjunction with a photography studio within Planned Development District 50 (PD-50), specifically at 507 North Goliad, being

Lot 1, Block A, Artventures Studio Addition, City of Rockwall, Texas, and take any action necessary. **(2nd Reading)**

IX. ACTION ITEMS

1. Discuss and consider authorizing the Mayor to execute a Certification Agreement with the Texas Historical Commission to be forwarded to the National Park Service for final approval of the City of Rockwall's designation as a Certified Local Government, and take any action necessary.
2. Discuss and consider approval of the Downtown Improvements Project Review Committee recommendation for the Courthouse Plaza Concept Plan and design options for the southeast corner of San Jacinto and Kaufman Streets, and take any action necessary.

X. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections monthly report - November 2012
Finance Department monthly report - November 2012
Fire Department monthly report - November 2012
Harbor PD Report - November 2012
Internal Operations monthly report - November 2012
Police Department Monthly Report - November 2012
Quarterly Report from Rockwall County Committee on Aging
Recreation Monthly Report - November 2012
Rockwall Animal Adoption Center Monthly Report - November 2012
STAR Transit Quarterly Report
2. City Manager's Report

XI. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussions regarding the purchase and value of real property from Aqua Operations Inc. regarding the right to serve Lake Rockwall Estates, including acquisition of easements and the system pursuant to Section 551.072 (deliberations about real property) and Section 551.071 (consultation with attorney).
3. Discussion regarding the deliberation of appointments of public officers to the Board of Adjustment and Building Standards Commission pursuant to Section 551.074 (personnel matters).

4. Discussion regarding negotiations for amended Development Agreement with Harbor Heights Investors, L.P. within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
5. Discussion regarding deliberation of appointment of City Attorney pursuant to Section 551.074 (personnel matters).

XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIII. ADJOURNMENT

<p>This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.</p>

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 4th day of January, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

AGENDA
ROCKWALL CITY COUNCIL
Tuesday, January 22, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

II. HOLD EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussions regarding the purchase and value of real property from Aqua Operations Inc. regarding the right to serve Lake Rockwall Estates, including acquisition of easements and the system pursuant to Section 551.072 (deliberations about real property) and Section 551.071 (consultation with attorney).
3. Discussion regarding negotiations for amended Development Agreement with Harbor Heights Investors, L.P. within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
4. Discussion regarding the assignment and duties of the Municipal Court Prosecutor pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding deliberation of appointment of City Attorney pursuant to Section 551.074 (personnel matters).

III. ADJOURNMENT

AGENDA
ROCKWALL CITY COUNCIL
Tuesday, January 22, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. CALL PUBLIC MEETING BACK TO ORDER

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER PRUITT

VII. PROCLAMATIONS / AWARDS

1. Citizen in Action Award - Jacob Purdue

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the January 7, 2013 regular city council meeting, and take any action necessary
2. Consider approval of a resolution calling the May 11, 2013 General Election, and take any action necessary.
3. Consider approval of a joint election agreement between the City of Rockwall, the Rockwall Independent School District and the Rockwall County Elections Administrator for conducting the May 11, 2013 election on behalf of the city, and take any action necessary.
4. Consider authorizing the City Manager to execute a contract with Wilson Office Group for the purchase of new furniture for the Police Building Remodel Project in the amount of \$87,850.58 with funding included in the project budget and take any action necessary.
5. Consider authorizing the City Manager to execute a Release and Hold Harmless Agreement with the Rockwall Golf and Athletic Club for waiver of International Fire Code Requirements, and take any action necessary.

IX. SITE PLANS / PLATS

1. **SP2012-031** - Discuss and consider a request by Rob Sarnelli of McCleary/German Architects for the approval of a variance to the roof design standards of the IH-30 Overlay (IH-30 OV) District, in conjunction with a site plan for a branch bank facility on Lot 9, Block 1 of the Rockwall Centre Corners Addition, being a 1.228-acre tract zoned Commercial (C) District and situated at the southeast corner of IH-30 and SH 205, and take any action necessary.

X. ACTION ITEMS

1. **MIS2012-013** - Discuss and consider a request by John Dudek for a waiver to the masonry requirements set forth in Article V, Section 3.1, General Residential District Standards, of the City of Rockwall Unified Development Code, for a single family residence located at 432 Columbia Drive, City of Rockwall, Texas, and take any action necessary.
2. Discuss and consider a request from Mr. Keith Young with Young Hyundai for approval of a sign plan located at 1540 IH 30, and take any action necessary
3. Discuss and consider a request from Mr. Jamison Kahler with Signature Signs for a height variance for a monument sign located at 880 Ralph Hall, and take any action necessary.

XI. HOLD EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussions regarding the purchase and value of real property from Aqua Operations Inc. regarding the right to serve Lake Rockwall Estates, including acquisition of easements and the system pursuant to Section 551.072 (deliberations about real property) and Section 551.071 (consultation with attorney).
3. Discussion regarding negotiations for amended Development Agreement with Harbor Heights Investors, L.P. within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
4. Discussion regarding the assignment and duties of the Municipal Court Prosecutor pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding deliberation of appointment of City Attorney pursuant to Section 551.074 (personnel matters).

XII. CALL PUBLIC MEETING BACK TO ORDER, AND TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 18th day of January, 2013, at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Kristy Ashberry, City Secretary

AGENDA
ROCKWALL CITY COUNCIL
Monday, February 04, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area and near or on Airport Road for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussions regarding the purchase and value of real property from Aqua Operations Inc. regarding the right to serve Lake Rockwall Estates, including acquisition of easements and the system pursuant to Section 551.072 (deliberations about real property) and Section 551.071 (consultation with attorney).
3. Discussion regarding negotiations for amended Development Agreement with Harbor Heights Investors, L.P. within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
4. Discussion regarding the assignment and duties of the Municipal Court Prosecutor pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding deliberation of appointment of City Attorney pursuant to Section 551.074 (personnel matters).
6. Discussion regarding the deliberation of appointments of public officers to city boards & commission pursuant to Section 551.074 (personnel matters) and Section 551.071 (consultation with attorney).
7. Discussion regarding potential claims by landowners regarding alleged damages to property pursuant to Section 551.071 (consultation with attorney).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, February 04, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

VI. PROCLAMATIONS / AWARDS

1. Black History Month

VII. OPEN FORUM

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the January 22, 2013 regular city council meeting, and take any action necessary.
2. Consider authorizing the City Manager to enter into a contract extension with Clean Harbors Inc. to manage Household Hazardous Waste Collection Day April 20, 2013 and take any action necessary.
3. Consider authorizing the City Manager to execute documents granting easements to Oncor Electric Delivery for service in Planned Development 32 and take any action necessary.
4. Consider approval of an interlocal agreement with Rockwall County for 2013 septic system inspection services, and take any action necessary.
5. Consider approval of change order #5 to the contract with Tiseo Paving Company for improvements to Airport Road to be funded by 2005 bonds, and take any action necessary.

IX. APPOINTMENTS

1. Appointment with Lakeside Civic Chorus to report on Fall 2012 events funded by Hotel Occupancy Tax revenues, and take any action necessary.
2. Appointment with Jan Johnson, Historic Preservation Advisory Board Chairperson, to discuss the annual progress report of the Historic Board's initiatives and the proposed historic medallion program, and take any action necessary.

3. Appointment with Scott Self to discuss and consider authorizing the City Manager to amend the current franchise agreement between the City of Rockwall and "Sail With Scott, LLC." for the addition of a new, tourism related sailboat at The Harbor and other matters relating to the boat operations and take any action necessary.
4. Appointment with Matt Weatherly of Public Sector Personnel Consultants (PSPC) to hear review of the city's historical criteria for selecting comparison cities and to discuss and consider adoption of new comparison market cities for the citywide compensation study as authorized by Council, and take any action as necessary.

X. ACTION ITEMS

1. Discuss and consider a request from Mrs. Christy Jones for approval of a front yard fence to be located at 608 Washington, and take any action necessary.
2. Discuss and consider an update related to the countywide traffic planning consortium, including associated road projects, and take any action necessary.

XI. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
 - Animal Adoption Center Report - December 2012
 - Building Inspections Monthly Report - December 2012
 - Finance Department Monthly Report - December 2012
 - Fire Department Annual Report 2012
 - Fire Dept. 2012 Annual Report - Points of Pride
 - Fire Dept. 2012 Annual Report - Manpower on structure calls
 - Harbor PD Report - December 2012
 - Internal Operations Department Monthly Report - December 2012
 - Police Department Monthly Report - December 2012
 - Recreation Monthly Report - December 2012
2. City Manager's Report

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area and near or on Airport Road for municipal purposes pursuant to Section 551.072 (deliberations about real property).

2. Discussions regarding the purchase and value of real property from Aqua Operations Inc. regarding the right to serve Lake Rockwall Estates, including acquisition of easements and the system pursuant to Section 551.072 (deliberations about real property) and Section 551.071 (consultation with attorney).
3. Discussion regarding negotiations for amended Development Agreement with Harbor Heights Investors, L.P. within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
4. Discussion regarding the assignment and duties of the Municipal Court Prosecutor pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding deliberation of appointment of City Attorney pursuant to Section 551.074 (personnel matters).
6. Discussion regarding the deliberation of appointments of public officers to city boards & commission pursuant to Section 551.074 (personnel matters) and Section 551.071 (consultation with attorney).
7. Discussion regarding potential claims by landowners regarding alleged damages to property pursuant to Section 551.071 (consultation with attorney).

VII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

VIII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 1st day of February, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Jacky Casey, Assistant Secretary

Date Removed

AGENDA
ROCKWALL CITY COUNCIL
Monday, February 18, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER (4:00 P.M.)

II. HOLD WORK SESSION TO HEAR UPDATE RELATED TO THE CITY'S DOWNTOWN IMPROVEMENT PLAN, AND TAKE ANY ACTION NECESSARY.

III. EXECUTIVE SESSION. (5:00 P.M.)

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

- 1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).**
- 2. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).**

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, February 18, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM WHITE

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the February 4, 2013 regular city council meeting, and take any action necessary.
2. Consider approval of a resolution regarding the cost per acre for mandatory neighborhood park land dedication, and take any action necessary.
3. Consider approval of a resolution establishing the pro rate equipment fee related to the city's mandatory neighborhood park land dedication regulations, and take any action necessary.

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with John Mitchell of Concerned Citizens of Rockwall to hear matters raised by citizens related to the Rockwall Police Department, and take any action necessary.
3. Appointment with Jan Johnson, Historic Preservation Advisory Board Chairperson, to discuss the annual progress report of the Historic Board's initiatives and the proposed historic medallion program, and take any action necessary.
4. Appointment with Rockwall Police Chief Mark Moeller to hear 2012 Racial Profiling Report, Annual Crime Comparison Report and Holiday Initiative results, and take any action necessary.

X. PUBLIC HEARING ITEMS

1. P2013-001 - Hold a public hearing, discuss and consider a request by Donnie and Tammy Latimer for approval of a Residential Replat for Chandlers Landing Phase 14, Lot 23, Block B, City and County of Rockwall, Texas, being a replat of Lots 5-R and 7-R of Chandlers Landing Phase 14, Block B, and take any action necessary.

2. Z2013-001 - Hold a public hearing, discuss and consider approval of an ordinance for a request by Denise Webb and Shannon Allred for a Specific Use Permit (SUP) to allow for a secondhand goods store located on Lot S and a portion of Lot 3, Block L of Rockwall Old Towne, City and County of Rockwall, Texas, being a 1,500-sf tract located at 103 South San Jacinto, zoned (DT) Downtown district, and take any action necessary. (1st Reading)
3. Z2013-002 - Hold a public hearing, discuss and consider approval of an ordinance for a request by Cameron Slown for a change in zoning from (AG) Agricultural district to (C) Commercial district on a 45.56-acre tract situated in the W. W. Ford Survey, Tract 17-5, located at the southeast corner of SH 205 and FM 549, City and County of Rockwall, Texas, and take any action necessary. (1st Reading)
4. Z2013-003 - Hold a public hearing, discuss and consider approval of an ordinance for a request by Betsy Irvine for a change in zoning from (AG) Agricultural district to (HC) Heavy Commercial district on a 2.01-acre tract situated in the J. D. McFarland Survey, Tract 17, City and County of Rockwall, Texas, generally located on South Goliad Street, approximately 500-ft south of Ralph Hall Parkway, and take any action necessary. (1st Reading)
5. Z2013-004 - Hold a public hearing, discuss and consider approval of an ordinance for a request by Kevin Patel for a Specific Use Permit (SUP) to allow for a retail outlet where gasoline products are sold as an accessory to a retail use, as stipulated by the Scenic Overlay (SOV) District, on a 2.46-acre tract of land described as Lots 1R and 2R of the Woods at Rockwall Addition, City and County of Rockwall, Texas, located at the southeast corner of Ridge Road and Yellow Jacket Lane, zoned (C) Commercial district and situated within the Scenic Overlay (SOV) District, and take any action necessary. (1st Reading) (Applicant requests to continue to March 4, 2013)

XI. ACTION ITEMS

1. Discuss and consider approval of the contract with Aqua Texas Inc. regarding purchase of water and sewer systems in Lake Rockwall Estates subdivision and authorizing the city manager to complete the purchase; authorizing the staff to initiate the process to obtain financing to pay the purchase price for the systems; authorizing staff to file applications required to obtain regulatory approvals relating to the purchase of the systems; authorizing staff to cause the preparation and completion of the design and construction of the sewer interconnect required by the contract; authorizing staff to acquire easements, rights-of-way, and interests in land required to construct, maintain, and operate the interconnect, and take any action necessary.

2. Discuss and consider adoption of a resolution expressing official intent to reimburse costs of project for Lake Rockwall Estates system acquisition and take any action necessary.
3. Discuss and consider approval of a resolution regarding the 2nd Amendment to protect and defend the constitutional right to keep and bear arms, and take any action necessary.
4. Discuss and consider hotel/motel tax subcommittee funding recommendations regarding requests from RACE Advisory Council, Rockwall Rubber Duck Regatta and Lakeside Civic Chorus and take any action necessary.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. **Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).**
2. **Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).**

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 15th day of February, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Jacky Casey, Assistant Secretary

Date Removed

AGENDA
ROCKWALL CITY COUNCIL
Monday, March 04, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
3. Discussion regarding terms of agreement with municipal services provider pursuant to section 551.071 (consultation with attorney)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, March 04, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR SWEET

VII. PROCLAMATIONS / AWARDS

- a. Colon Cancer Awareness Month

VIII. OPEN FORUM

IX. CONSENT AGENDA

1. Consider approval of the minutes from the February 18, 2013 regular City Council meeting, and take any action necessary.
2. Z2013-001 - Consider approval of an ordinance for a request by Denise Webb and Shannon Allred for a Specific Use Permit (SUP) to allow for a secondhand goods store located on Lot S and a portion of Lot 3, Block L of Rockwall Old Towne, City and County of Rockwall, Texas, being a 1,500-sf tract located at 103 South San Jacinto, zoned (DT) Downtown district, and take any action necessary. (2nd Reading)
3. Z2013-002 - Consider approval of an ordinance for a request by Cameron Slowen for a change in zoning from (AG) Agricultural district to (C) Commercial district on a 45.56-acre tract situated in the W. W. Ford Survey, Tract 17-5, located at the southeast corner of SH 205 and FM 549, City and County of Rockwall, Texas, and take any action necessary. (2nd Reading)
4. P2013-002 - Discuss and consider a request by Tina Rowe-Woodall, representing Heavenly Hands Birthing Center, for approval of a final plat of the Heavenly Hands Addition, Lot 1, Block A, being a replat of the W.D. Austin Addition, Lot 2R, City and County of Rockwall, Texas, being a 0.45-acre tract of land located at 908 N. Goliad Street, north of Heath Street, zoned Planned Development No. 50 (PD-50), and take any action necessary.
5. P2013-003 - Discuss and consider a request by Tom Jones, representing Binkley and Barfield, for approval of a final plat of the Columbia Park Addition, Lot 4, Block A, being a 3.00-acre tract of land described as a portion of a 16.558 acre tract in the N. Butler Abstract, Tract 4-01, City and County of Rockwall, Texas, zoned Commercial (C) and generally situated on the north side of Airport Road, east of Industrial Boulevard, and take any action necessary.

6. Consider a policy amendment regarding the procurement of professional services, and take any action necessary.
7. Consider authorizing the City Manager to execute a contract with Dee Brown Inc. for the cast stone repairs at the Harbor in an amount not to exceed \$110,000 funded with general fund reserves, and take any action necessary.
8. Consider authorizing the City Manager to execute a contract with Kimark for the purchase of SCADA equipment for system expansion to include school zone traffic signal monitoring and control in the amount of \$56,213 funded with contractual obligations and Court Child Safety Fines, and take any action necessary.
9. Consider bid from RNDI for the Harbor fountain leak repair in the amount of \$36,283.50 non-responsive; rejecting bid, and take any action necessary.
10. Consider the adoption of a resolution restating the city's financial commitment to the Transportation Enhancement Grant Request, and take any action necessary.
11. Consider adoption of a resolution authorizing the City Manager to execute an agreement with Texas Department of Transportation to contribute right of way funds for the FM3097 widening project with funding available from the street assessment fund, and take any action necessary.
12. Consider authorizing the City Manager to execute an agreement with Verdunity for design, construction management and other related services for the Glenn Avenue utility rehabilitation project in the amount of \$59,210 to be funded from 2008 utility revenue bonds, and take any action necessary.
13. Consider approval of revision to Engineering Standards of Design due to conflicts with the adopted 2009 Fire Code, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with Mr. Brad Davidson of LifeTime Fitness to discuss and consider approval of the race route and waiver of Harbor related rental fees for the Toyota U.S. Open Triathlon to be held on October 6, 2013, and take any action necessary.
3. Appointment with representatives of The NuRock Companies and the Rockwall Housing Authority regarding the submittal of a grant application to the Texas Department of Housing and Community Affairs, and take any action necessary.

XI. PUBLIC HEARING ITEMS

1. Z2013-004 - Continue a public hearing, discuss and consider approval of an ordinance for a request by Kevin Patel for a Specific Use Permit (SUP) to allow for a retail outlet where gasoline products are sold as an accessory to a retail use, as stipulated by the Scenic Overlay (SOV) District, on a 2.46-acre tract of land described as Lots 1R and 2R of the Woods at Rockwall Addition, City and County of Rockwall, Texas, located at the southeast corner of Ridge Road and Yellow Jacket Lane, zoned (C) Commercial district and situated within the Scenic Overlay (SOV) District, and take any action necessary. (1st Reading)
2. Z2013-005 - Hold a public hearing, discuss and consider approval of an ordinance for a request by Chad and Whitney Davis for a Specific Use Permit (SUP) to allow for a secondhand goods store located on Lots 1 and 4, Block X of Rockwall OT, City and County of Rockwall, Texas, being a 0.21-acre tract located at 302 South Fannin Street, zoned (DT) Downtown district, and take any action necessary. (1st Reading)
3. Z2013-006 - Hold a public hearing, discuss and consider approval of an ordinance for a request by Billy Peoples and Mark Latham for a change in zoning from (MF-14) Multi-Family Residential district to (DT) Downtown district on a 0.23-acre tract and a 0.16-acre tract, situated in the Eppstein Addition Lot W, Block H, Part of 1,2 and 3 and Lot E, Block H, Part of 1,2 and 3, City and County of Rockwall, Texas, located at 308 and 310 South Fannin Street respectively, and take any action necessary. (1st Reading)

XII. ACTION ITEMS

1. Discuss and consider a request from Mr. Corey Brecht with Turner Construction representing Allen Foods for a setback variance for a monument sign located at 3055 Discovery Blvd, and take any action necessary.
2. Discuss and consider approval of a resolution regarding the 2nd Amendment to protect and defend the constitutional right to keep and bear arms, and take any action necessary.
3. Discuss and consider authorizing the City Manager to enter into negotiations with Oncor regarding power lines at the Municipal Airport.
4. Discuss and consider approval of a resolution and full service trustee agreement to retain American National Bank of Texas Trust to provide oversight of the City's 457 Plan and other related employee discretionary plans qualified under Section 401(a) of the Internal Revenue Code, to be held in a trust intended to be tax exempt under Section 501(a) of the Code, and take any action necessary.
5. Discuss and consider authorizing the City Manager to execute the third amendment to the Presbyterian Hospital of Rockwall agreement, and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
 - Animal Adoption Center Report - January 2013
 - Building Inspections Monthly Report - January 2013
 - Finance Department Monthly Report - January 2013
 - Fire Dept. Monthly Reports - January 2013
 - Internal Operations Department Monthly Report - January 2013
 - Police Department Monthly Report
 - Harbor PD Report - January 2013
 - Recreation Monthly Report - January 2013
2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
3. Discussion regarding terms of agreement with municipal services provider pursuant to section 551.071 (consultation with attorney).

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Jacky Casey, Interim Deputy City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 4th day of March, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jacky Casey, Interim Deputy City Secretary

Date Removed

AGENDA
ROCKWALL CITY COUNCIL
Monday, March 18, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, March 18, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER SMITH

VII. PROCLAMATIONS / AWARDS

1. Poison Prevention Week - March 17-23, 2013

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the March 4, 2013 regular City Council meeting, and take any action necessary.
2. P2013-004 - Consider a request by Ricki Rose for approval of a final plat of the Parks of Rockwall Addition, Lot 1, Block 1, City and County of Rockwall, Texas, being a 2.00-acre tract of land located on State Highway 66, west of the Rockwall City Cemetery, zoned General Retail (GR) and situated within the SH 66 Overlay (SH 66 OV) District, and take any action necessary
3. P2013-005 - Consider a request by Daniel Dewey, representing JBI Partners, for approval of a replat of Caruth Lakes, Phase 7B, City and County of Rockwall, Texas, for the purpose of creating utility easements for franchise utility companies; being a 17.182-acre tract of land out of the Samuel S. McCurry Survey containing 66 residential lots, and generally located north of FM 1141 on the west side of John King Boulevard, zoned Planned Development No. 5 (PD-5), and take any action necessary.
4. Consider approval of a contract with Kimley Horn for engineering services for utility projects to be funded from 2008 utility revenue bonds, and take any action necessary.

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues, and take any action necessary.
2. Appointment with Don Smith of Lakes Regional MHMR Center to request a waiver of water and sewer impact fees and tap fees, and take any action necessary.
3. Appointment with Molly Peterson from the Collin County Humane Society at Rockwall to present a six month report regarding operations of the Rockwall Animal Adoption Center.

X. PUBLIC HEARING ITEMS

1. Z2013-007 - Hold a public hearing, discuss and consider approval of an ordinance for a request by Scott Huizenga, representing Campers 4 Rent, LLC, for approval of a change in zoning from Agricultural (AG) District to Heavy Commercial (HC) District on a 1.50-acre tract situated in the J.D. McFarland Survey, Tract 8-3, City and County of Rockwall, Texas, located at 955 Sids Road, northeast of Mims Road, and take any action necessary. (1st Reading)
2. Z2013-008 - Hold a public hearing, discuss and consider approval of an ordinance for a request by Keith Taylor, representing T.A. Land Holdings, for approval of a change in zoning from Agricultural (AG) District to Commercial (C) District on a 1.51-acre tract situated in Zion Hill Estates Addition, Lot 3 and part of Lot 6, Block B, City and County of Rockwall, Texas, located at 2185 Williams Street, at the northwest corner of SH 66 and Stodghill Road (FM 3549), and take any action necessary. (1st Reading)
3. Z2013-009 - Hold a public hearing, discuss and consider approval of an ordinance for a request by John Kimmer, representing Tuff Shed, Inc., for approval of a Specific Use Permit (SUP) to allow for outside storage on a 3.20-acre tract of land described as Tract 7-01 of the J. Lockhart Abstract, City and County of Rockwall, Texas, located at 1780 E IH-30, zoned Light Industrial (LI) district and situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary. (1st reading)

XI. ACTION ITEMS

1. Discuss and consider approval of an ordinance declaring unopposed candidates and cancelling the 2013 General Election, and take any action necessary. (1st reading)

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Jacky Casey, Interim Deputy City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 15th day of March, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jacky Casey, Interim Deputy City Secretary

Date Removed

AGENDA
ROCKWALL CITY COUNCIL
Monday, April 01, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. (4:00 P.M.) HOLD WORK SESSION TO DISCUSS FUNDING ALTERNATIVES FOR FIRE SERVICES IN UNINCORPORATED ROCKWALL COUNTY, AND TAKE ANY ACTION NECESSARY.

III. (4:15 P.M.) EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
3. Discussion of legal claim letter regarding Emerald Bay Park and playground equipment pursuant to Section 551.071 (Consultation with Attorney).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, April 01, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

- V. RECONVENE PUBLIC MEETING
- VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION
- VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS
- VIII. PROCLAMATIONS / AWARDS
 - a. Mary Claire Weible Memory Masters Day
- IX. OPEN FORUM
- X. CONSENT AGENDA
 - 1. Consider approval of the minutes from the March 18, 2013 regular City Council meeting, and take any action necessary.
 - 2. Consider approval of a change order to a contract with XIT Paving in the amount of \$38,000 for the construction of the sanitary sewer interconnect to enable the city to provide service to Lake Rockwall Estates, and take any action necessary.
 - 3. Consider authorizing the City Manager to enter into a contract with Binkley & Barfield consulting engineers for water line replacement projects in the amount of \$106,540 to be funded from 2008 utility bonds, and take any action necessary.
 - 4. **Z2013-007** - Consider approval of an ordinance for a request by Scott Huizenga, representing Campers 4 Rent, LLC, for approval of a change in zoning from Agricultural (AG) District to Heavy Commercial (HC) District on a 1.50-acre tract situated in the J.D. McFarland Survey, Tract 8-3, City and County of Rockwall, Texas, located at 955 Sids Road, northeast of Mims Road, and take any action necessary. **(2nd reading)**
 - 5. **Z2013-008** - Consider approval of an ordinance for a request by Keith Taylor, representing T.A. Land Holdings, for approval of a change in zoning from Agricultural (AG) District to Commercial (C) District on a 1.51-acre tract situated in Zion Hill Estates Addition, Lot 3 and part of Lot 6, Block B, City and County of Rockwall, Texas, located at 2185 Williams Street, at the northwest corner of SH 66 and Stodghill Road (FM 3549), and take any action necessary. **(2nd reading)**
 - 6. **Z2013-009** - Consider approval of an ordinance for a request by John Kimmel, representing Tuff Shed, Inc., for approval of a Specific Use Permit (SUP) to allow for outside storage on a 3.20-acre tract of land described as Tract 7-01 of the J. Lockhart Abstract, City and County of Rockwall, Texas, located at 1780 E IH-30, zoned Light Industrial (LI)

district and situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary. **(2nd reading)**

7. Consider approval of an ordinance declaring unopposed candidates and cancelling the 2013 General Election, and take any action necessary. **(2nd reading)**
8. Consider approval of an ordinance amending the Code of Ordinances, Chapter 16, Motor Vehicles by altering the prima facie speed limit on FM549 from SH205 west to the city limits and take any action necessary. **(1st reading)**
9. P2013-009 - Discuss and consider a request by Charles Smith of Ascot Investors LLC for approval of a final plat of Lots 4-7, Block A, Integrity Addition Phase 2, being a 1.25-acre tract zoned (ZL-5) Zero Lot Line District and situated in the B.F. Boydston Survey, Abstract No. 14, located along Boydston west of Clark Street, and take any action necessary.
10. P2013-011 - Discuss and consider a request by Rhett Dollins of Pogue Engineering for approval of a replat of Lot 4, Block A, Stone Creek Retail Addition, being 1.1890-acres zoned (PD-70) Planned Development No. 70 district and located at the southeast corner of SH 205 and FM 552, and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XII. PUBLIC HEARING ITEMS

1. **Z2013-004** - Hold a public hearing and consider approval of an **ordinance** for a request by Kevin Patel for a Specific Use Permit (SUP) to allow for a retail outlet where gasoline products are sold as an accessory to a retail use, as stipulated by the Scenic Overlay (SOV) District, for a 2.46-acre tract of land described as Lots 1R and 2R of the Woods at Rockwall Addition, City and County of Rockwall, Texas, located at the southeast corner of Ridge Road and Yellow Jacket Lane, zoned (C) Commercial district and situated within the Scenic Overlay (SOV) District, and take any action necessary. **(1st reading)**

XIII. ACTION ITEMS

1. Discuss and consider a request by Kevin Wiles with RaceTrac to adopt an alternative method for creating tree credits and a method of distribution of trees or funds for purchasing trees in association with an associated tree plan and related site plan on a 2.46-acre tract of land described as Lots 1R and 2R of the Woods at Rockwall Addition, City and County of Rockwall, Texas, located at the southeast corner of Ridge Road and Yellow Jacket Lane, and take any action necessary.

2. Discuss and consider hotel/motel subcommittee funding recommendations regarding request for the State High School Gymnastics Meet to be held in Rockwall, and take any action necessary.

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
 - Animal Adoption Center Report - February 2013
 - Building Inspections Report - February 2013
 - Finance Department Monthly Report - February 2013
 - Fire Dept. Monthly Report - February 2013
 - Harbor PD Report - February 2013
 - Internal Operations Department Monthly Report for February 2013
 - Police Department - February 2013 Monthly Report
 - Recreation Monthly Report - February 2013
 - STAR Transit Quarterly Report
2. City Manager's Report

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
3. Discussion of legal claim letter regarding Emerald Bay Park and playground equipment pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding RaceTrac Zoning Case # Z2013-004 pursuant to Section 551.071(1), (2) (Consultation with Attorney).

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 29th day of March, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary
Jacky Casey, Assistant Secretary

Date Removed

AGENDA
ROCKWALL CITY COUNCIL
Monday, April 15, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussions regarding land acquisition associated with easements for the Aqua interconnect for municipal purposes pursuant to Section 551.072 (deliberations about real property).
3. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
4. Discussion of legal claim letter regarding incident at Rockwall Animal Adoption Center pursuant to Section 551.071 (Consultation with Attorney).
5. Discussion of legal claim letter regarding litigation styled, Turner v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney).
6. Discussion of Economic Development incentives and procedures pursuant to Section 551.087 (Economic Development).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, April 15, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE –COUNCILMEMBER DANIELS

VII. PROCLAMATIONS / AWARDS

1. National Day of Prayer
2. Motorcycle Safety & Awareness Month

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the April 1, 2013 regular City Council meeting, and take any action necessary.
2. Consider authorizing the City Manager to enter into a contract with Teague, Nall and Perkins for engineering design services in the amount of \$200,000 for water and sewer rehabilitation projects funded from 2008 utility bonds and take any action necessary.
3. Consider approval of a resolution to be sent to the Commissioner, State Board of Insurance, opposing adoption of the Insurance Services Office (ISO) Fire Suppression Rating Schedule as proposed on January 24, 2013, and take any action necessary.
4. Consider approval of an **ordinance** amending the Code of Ordinances, Chapter 16, Motor Vehicles by altering the prima facie speed limit on FM549 from SH205 west to the city limits and take any action necessary.
(2nd reading)
5. **P2013-010** - Consider a request by Bobby Samuel of Skorburg Company for approval of a preliminary plat of Breezy Hill Phase 2A and 2B, out of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Texas, being 35.812 acres of land, zoned (PD-74) Planned Development No. 74 district and generally situated along the east side of John King Boulevard, north of FM 552, and take any action necessary.
6. **P2013-006** - Consider a request by Bobby Samuel, representing Skorburg Company, for approval of a final plat of Stone Creek, Phase IV, City and County of Rockwall, Texas, being a 27.311-acre tract of land out of the S. King Survey, Abstract No. 131 containing 59 residential lots, and generally located north of Quail Run Road on the east side of SH 205, zoned Planned Development No. 70 (PD-70), and take any action necessary.

7. **Z2013-004** - Consider approval of an **ordinance** for a request by Kevin Patel for a Specific Use Permit (SUP) to allow for a retail outlet where gasoline products are sold as an accessory to a retail use, as stipulated by the Scenic Overlay (SOV) District, for a 2.46-acre tract of land described as Lots 1R and 2R of the Woods at Rockwall Addition, City and County of Rockwall, Texas, located at the southeast corner of Ridge Road and Yellow Jacket Lane, zoned (C) Commercial district and situated within the Scenic Overlay (SOV) District, and take any action necessary. **(2nd reading)**

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with Lisa Campbell, new Executive Director of the Rockwall Alliance for the Arts, to seek council support related to the Alliance's cooperative, coordinated effort to unify local artistic endeavors and activities in the schools, through the cities, across the county, and take any action necessary.
3. Appointment with Lewis Crain of Rutledge, Crain & Company, PC to present the city's Fiscal Year 2012 Comprehensive Annual Financial Report, and take any action necessary.

X. PUBLIC HEARING ITEMS

1. **Z2013-010** - Hold a public hearing and consider approval of an **ordinance** for a request by Andrew Whitehead of Axium Solar for approval of a Specific Use Permit (SUP) to allow for a "Utility Installation, Other Than Listed," specifically the installation of solar panels on the roof of a home located at 606 Shoreview Drive, being Lot 2, Block D, Stonebridge Meadows #1 Addition and zoned (SF-10) Single Family Residential district, and take any action necessary. **(1st Reading)**
2. **Z2013-011** - Hold a public hearing and consider approval of an **ordinance** for a request by Russell Phillips on behalf Rockwall Rental Properties for the approval of a PD Development Plan amending Ordinance 11-43 and in accordance with Ordinance No. 10-21, for property identified as 16 & 16-1 out of the M. J. Barksdale Survey, Abstract No. 11; Lot 7, Block A of the Harbor-Rockwall Addition; Lot 1-1, Block A, Henry Africa Subdivision; and Lot 3A, Block A, Shoreline Plaza Addition, being a 12.72-acre tract of land, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, and generally located south of Interstate Highway 30 and west of Shoreline Drive, and take any action necessary. **(1st Reading)**

3. **Z2013-012** - Hold a public hearing and consider approval of an **ordinance** for a request by Scott Webb representing Eastridge Church of Christ for approval of a Specific Use Permit (SUP) to allow for a church on a 1.70-acre tract of land situated in the E.M. Elliott Survey, Abstract No. 77, City and County of Rockwall, Texas, and being a part of a 10.733-tract of land as described in a warranty deed from Texas Utilities Electric Company to Cal Gary, as recorded in Volume 957, Page 88 of the Real Property Records of Rockwall County, Texas, located at 588 Stodghill Road, and take any action necessary. **(1st Reading)**
4. **P2013-007** - Hold a public hearing and consider a request by Luisihno Tovar for approval of a residential replat for Lot 1, Block D, Lake Rockwall Estates West Addition, City and County of Rockwall, Texas, being a replat of Lot 665 and a portion of Lot 666 of Rockwall Lake Subdivision, and take any action necessary.
5. **P2013-008** - Hold a public hearing and consider a request by Keith and Rosemary Tonoli for approval of a residential replat for Lot 33, Block A, Chandlers Landing Phase 18 Section 2, City and County of Rockwall, Texas, being a replat of Lots 2 and 3, and take any action necessary.

XI. ACTION ITEMS

1. Discuss and consider a request from Mr. Bob Baron with Suntech Industries representing American National Bank for a setback variance for a monument sign located at 1305 Ridge Rd, and take any action necessary.
2. Discuss and consider the Planning & Zoning notification process regarding signage associated with proposed zoning changes, and take any action necessary.
3. **MIS2013-003** - Discuss and consider a request by Humberto Zavala for approval of a special request to the standards of the (PD-75) Planned Development No. 75 district (Ord 09-37), specifically to the setback requirements stating that a carport shall be located at least 20 feet behind the front building façade of the primary structure as set forth by Article VI, Permissible Uses, of the Unified Development Code, and that encroaches into the minimum side yard setback, for a property located at 160 Yvonne Drive (Lake Rockwall Estates), and take any action necessary.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
2. Discussions regarding land acquisition associated with easements for the Aqua interconnect for municipal purposes pursuant to Section 551.072 (deliberations about real property).

3. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
4. Discussion of legal claim letter regarding incident at Rockwall Animal Adoption Center pursuant to Section 551.071 (Consultation with Attorney).
5. Discussion of legal claim letter regarding litigation styled, Turner v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney).
6. Discussion of Economic Development incentives and procedures pursuant to Section 551.087 (Economic Development).

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 12th day of April, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Jacky Casey, Assistant Secretary

Date Removed

AGENDA
ROCKWALL CITY COUNCIL
Monday, May 06, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. (4:00 P.M.) - WORK SESSION

1. Hold Work Session, including appointment with Michael Black, representing La Terra studio, to hear an update of the Downtown Improvement Project and discuss certain design issues associated with the project, and take any action necessary.

III. (4:30 P.M.) - EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion of Economic Development incentives and procedures pursuant to Section 551.087 (Economic Development)
2. Discuss EEOC claim filed by City Employee pursuant to Tex. Gov't. Code, § 551.071 (Consultation with Attorney) and Tex.Gov't Code § 551.074 (Personnel Matters).
3. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
4. Discussions regarding land acquisition associated with easements for the Aqua interconnect for municipal purposes pursuant to Section 551.072 (deliberations about real property).
5. Discussion regarding deliberation of appointment of public officer to North TX Municipal Water District Board, pursuant to Section 551.074 (personnel matters).
6. Discussion regarding City Manager performance evaluation, pursuant to Section 551.074 (personnel matters).
7. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, May 06, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER LEWIS

VIII. PROCLAMATIONS / AWARDS

1. Safe Boating Week
2. Recognition of Rockwall Police Department Award Recipients
3. Police Appreciation Week
4. Recognition of Rockwall Youth Advisory Council (YAC) students
5. Recognition of Councilmember Michelle Smith

IX. OPEN FORUM

X. CONSENT AGENDA

1. Consider approval of the minutes from the April 15, 2013 regular city council meeting, and take any action necessary.
2. Consider approval of a resolution regarding the abandonment of an existing utility easement to Excel Rockwall LLC c/o Woodmont Company for the Plaza Phase two project, and take any action necessary.
3. Consider authorizing the City Manager to execute a Facilities Agreement with BH Phase IIB SF, Ltd. for the Breezy Hill Estates water line installation, and take any action necessary.
4. Consider authorizing the City Manager to enter into an agreement to lease unimproved real estate for temporary parking and take any action necessary.
5. **Z2013-010** - Consider approval of an **ordinance** for a request by Andrew Whitehead of Axiom Solar for approval of a Specific Use Permit (SUP) to allow for a "Utility Installation, Other Than Listed," specifically the installation of solar panels on the roof of a home located at 606 Shoreview Drive, being Lot 2, Block D, Stonebridge Meadows #1 Addition and zoned (SF-10) Single Family Residential district, and take any action necessary. **(2nd Reading)**
6. **P2013-012** - Discuss and consider a request by Mike Whittle of Caruth Lake Development for approval of a replat for the Alliance Addition Ph. 2, being a 1.694-acre tract zoned Planned Development No. 57 (PD-57) District and located at the northeast corner of FM 3097 and FM 549, City of Rockwall, Texas, and take any action necessary.

7. **P2013-015** - Consider approval of a request by Scott Riley for the approval of a replat for Lots 11 & 12, Block 1, Rockwall Centre Corners Addition containing two (2) non-residential lots, zoned Commercial (C) District, on 4.894-acres, currently identified as Lots 7 & 10, Block 1, Rockwall Centre Corners Addition, City of Rockwall, Texas, generally located at the southeast corner of SH-205 and IH-30, situated within the SH-205 Corridor Overlay (SH-205) District and IH-30 Corridor Overlay (IH-30 OV) District, and take any action necessary.
8. Consider authorizing an increase to the local match for drainage improvements at the Ralph M. Hall / Rockwall Municipal Airport and the City's 10% local match of up to \$27,530.00 to be paid from the Airport fund balance and take any action necessary.
9. Consider awarding an annual contract for tractor mowing services to 3-D Mowing, authorizing the City Manager to negotiate and execute said contract in the amount of \$75,000 as budgeted in the General Fund Parks Ground Maintenance budget, and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with members of the City of Rockwall Youth Advisory Council (YAC) to hear report regarding the group's Planning-related photography project and a year-end recap of activities, and take any action necessary.
3. Appointment with Larry Baty to discuss the temporary closing of a public road for the CASA Car Show on Sunday, May 19, and take any action necessary.
4. Appointment with Kevin Folsom regarding the Takeline, and take any action necessary.

XII. ACTION ITEMS

1. Discuss and consider a request by Kevin Wiles with RaceTrac, to adopt an alternative method of distribution of trees or funds for purchasing trees with an associated tree plan and related site plan on a 2.46-acre tract of land described as Lots 1R and 2R of the Woods at Rockwall Addition, City and County of Rockwall, Texas, located at the southeast corner of Ridge Road and Yellow Jacket Lane, and take any action necessary.
2. **Z2013-011** - Discuss and consider approval of an **ordinance** for a request by Russell Phillips on behalf Rockwall Rental Properties for the approval of a PD Development Plan amending Ordinance 11-43 and in accordance with Ordinance No. 10-21, for property identified as 16 & 16-1 out of the M. J. Barksdale Survey, Abstract No. 11; Lot 7, Block A of the Harbor-Rockwall Addition; Lot 1-1, Block A, Henry Africa Subdivision; and Lot 3A, Block A, Shoreline Plaza Addition, being a 12.72-acre tract of

land, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, and generally located south of Interstate Highway 30 and west of Shoreline Drive, and take any action necessary.
(1st Reading)

3. Discuss and consider authorizing the City Manager to enter into a contract with BRW Architects, Inc. in the amount of \$15,000 with out of pocket expenses not to exceed \$2,000, to be paid out of Fire Equipment Fund for architectural services at Fire Station #2, and take any action necessary.
4. Discuss and consider approval of an **Ordinance** of Necessity associated with a sewer line easement from LEJ Partners Ltd. generally located on the north side of FM 3097, west of County Line Road and take any action necessary **(1st reading)**.
5. Discuss and consider Take Line leases as they relate to building of boat docks and the removal of soil to a depth that will allow boat docks to be functional, and take any action necessary.
6. Discuss and consider directing staff to draft a policy regarding information provided to the City Council on Planning and Zoning cases, and take any action necessary.
7. Discuss and consider implementation of stage 3 of the City's drought plan and take any action necessary.
8. Discuss and consider authorizing the City of Rockwall to serve as the host city for the 2014 TML Youth Advisory Council (YAC) Summit, including possible use of hotel/motel tax funding, and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
 - Animal Adoption Center Report - March
 - Building Inspections Monthly Report - March
 - Finance Department Monthly Report - March
 - Fire Dept. Monthly Report - March
 - Harbor PD Monthly Report - March
 - Internal Operations Department Monthly Report - March
 - Police Department Monthly (March) & Quarterly Reports
 - Recreation Monthly Report - March
 - Rockwall County Committee on Aging Quarterly Report
2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion of Economic Development incentives and procedures pursuant to Section 551.087 (Economic Development).
2. Discuss EEOC claim filed by City Employee pursuant to Tex. Gov't. Code, § 551.071 (Consultation with Attorney) and Tex.Gov't Code § 551.074 (Personnel Matters).
3. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section 551.072 (deliberations about real property).
4. Discussion regarding deliberation of appointment of public officer to North TX Municipal Water District Board, pursuant to Section 551.074 (personnel matters).
5. Discussions regarding land acquisition associated with easements for the Aqua interconnect for municipal purposes pursuant to Section 551.072 (deliberations about real property).
6. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
7. Discussion regarding City Manager performance evaluation, pursuant to Section 551.074 (personnel matters).

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 3rd day of May, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary

AGENDA
ROCKWALL CITY COUNCIL
Monday, May 20, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. (4:00 P.M.) WORK SESSION

- 1. HOLD WORK SESSION TO DISCUSS TRANSMITTAL OF PLANNING & ZONING CASES TO THE CITY COUNCIL, AND TAKE ANY ACTION NECESSARY.**

III. (4:30 P.M.) EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

- 1. Discussion regarding status of the selection process for Municipal Court Judge Appointment pursuant to Section, § 551.071 (Consultation with Attorney) and Section, § 551.074 (Personnel Matters)**
- 2. Discussion regarding appointment of Mayor Pro-Tem, County of Rockwall Emergency Services Corporation board members (2), and city council subcommittees pursuant to Section, § 551.074 (Personnel Matters).**
- 3. Discussion regarding City Manager performance evaluation, pursuant to Section, § 551.074 (Personnel Matters).**
- 4. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section, § 551.072 (Real Property).**
- 5. Discussions regarding land acquisition associated with easements for the Aqua interconnect for municipal purposes pursuant to Section, § 551.072 (Real Property).**
- 6. Discussion regarding legal claim letters: litigation styled, Turner v. City of Rockwall and Young v. City of Rockwall, as well as sewage back up claim pursuant Section § 551.071 (Consultation with Attorney).**

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, May 20, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR SWEET

VII. SWEARING IN OF NEWLY ELECTED CITY COUNCIL MEMBERS (JUDGE BRIAN WILLIAMS)

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

IX. PROCLAMATIONS / AWARDS

1. Children's Medical Center 100th year Centennial Celebration
2. National Public Works Week

X. CONSENT AGENDA

1. Consider approval of the minutes from the May 6, 2013 regular city council meeting, and take any action necessary.
2. **P2013-013** - Discuss and consider a request by Steve Lenart with Lenart Development Co., LLC for the approval of a final plat of Townsend Village, City of Rockwall, Texas, being a 27.689-acre tract of land out of the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48 containing 77 residential lots, and generally located at the northwest corner of the intersection of SH-276 and T.L. Townsend Drive, zoned Planned Development No. 10 (PD-10) District, and take any action necessary.
3. Consider adoption of a resolution appointing a Municipal Court Judge; appointing an Associate Municipal Court Judge, and take any action necessary.
4. Consider approval of an **Ordinance** of Necessity associated with a sewer line easement from LEJ Partners Ltd. generally located on the north side of FM 3097, west of County Line Road and take any action necessary **(2nd reading)**

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with Judge Cathy Penn to receive the annual municipal court report and take any action necessary.

3. Appointment with J.J. Smith to discuss and consider approval of a resolution for a road closure to facilitate the July 4th parade, and take any action necessary.

XII. PUBLIC HEARING ITEMS

1. **Z2013-013** - Hold a public hearing and consider approval of an **ordinance** for a request by Zack Amick of Gordon Rockwall Investments, LLC for a Specific Use Permit (SUP) to allow for outside storage of new vehicles in conjunction with an adjacent new car dealership (located at 1540 E. IH-30); the subject property is zoned Light Industrial (LI) District and situated within the IH-30 Corridor Overlay (IH-30 OV) District, on a 4.922-acres tract of land and specifically located at 1530 E. IH-30, City of Rockwall, Texas, and take any action necessary. **(1st Reading)**
2. **Z2013-014** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Jake Petras, on behalf of QuikTrip, for an amendment to Specific Use Permit (SUP) No. S-100 [Ordinance No. 12-30] to allow for a 75-foot pole sign in conjunction with a retail store with more than two (2) gasoline dispensers within a General Retail (GR) District as specified by the Unified Development Code (UDC), for a 1.8169 acre tract of land zoned Commercial (C) District and General Retail (GR) District, and described as part of the Joseph Cadle Survey, Abstract No. 65, being all of Lot 1R, Block A of the Montego Addition, and a portion of Lot 2, Block A of the Rockwall Shopping Center, Rockwall County, Texas, and being generally located at the northwest corner of the intersection of SH-205 and the IH-30 frontage road, within the IH-30 Corridor Overlay (IH-30 OV) District and the SH-205 Corridor Overlay (SH-205 OV) District, and take any action necessary. **(1st Reading)**
3. **Z2013-015** - Hold a public hearing and consider approval of an **ordinance** for a request by Stephen Seitz of Seitz Architects, Inc. for approval of a Specific Use Permit (SUP) to allow for the expansion of the existing "Vault Self Storage" mini-warehouse facility located on Lot 1, Block C, Rockwall Business Park East, being 6.06-acres overall, and zoned Commercial (C) District, located at 1280 E. Ralph Hall Parkway, and take any action necessary. **(1st Reading)**

XIII. SITE PLANS / PLATS

1. **SP2013-005** - Discuss and consider a request by John Spiars of Spiars Engineering for the approval of variances to the architectural standards for the IH-30 Overlay (IH-30 OV) District, specifically to the roof design standards and to the masonry standards to allow for stucco on the first four (4) feet above grade, and to the sign standards to allow for wall signage and graphics as an artistic feature, for a Site Plan for Raising Cane's on a 2.951 acre tract of land zoned Commercial (C) District and Light Industrial (LI) District, being described as Lot 3, Block 1 of the Centre Corners Addition in the City of Rockwall, Texas, generally located at the southeast corner of IH-30 and SH 205, and situated within the IH-30 Corridor Overlay (IH-30 OV) District, and take any action necessary.

2. **SP2013-006** - Discuss and consider a request by Jim Aubuchon of Rockwall Mushroom, LLC for approval of variances to the architectural standards and the signage, specifically to allow for wall signage and graphics as an artistic feature and elevations not meeting the 20% natural or quarried stone requirement for a Site Plan for Mellow Mushroom, being a 10,525-sf restaurant proposed on Lot 15, Block A, La Jolla Pointe Addition Phase 2, being 1.364-acres zoned Commercial (C) District and situated within the IH-30 Corridor Overlay (IH-30 OV) District, located at 568 E IH-30, City of Rockwall, Texas, and take any action necessary.
3. **SP2013-007** - Discuss and consider a request by Duane Meyers of Duane Meyers Architect for approval of a variance to the exterior material requirements in conjunction with a Site Plan for Texas Star Express, specifically for a 3,525-sf new structure to replace an existing manufactured building, situated on a 4.06-acre tract being Lot 1R, Block 1, Texas Star Addition and located at 2890 S. Goliad Street, City of Rockwall, Texas, zoned Heavy Commercial (HC) District and situated within the SH 205 Corridor Overlay (SH 205 OV) District, and take any action necessary.

XIV. ACTION ITEMS

1. Discuss and consider adoption of a resolution directing publication of notice of intention to issue certificates of obligation; resolving other matters relating to the subject and take any action necessary.
2. Discuss and consider approval of a development agreement that has been offered by the City, in accordance with Chapter 212 of the Texas Local Government Code, and accepted by the property owner of a 4.273-acre tract of land known as Tract 25-09, Abstract 187, J. Strickland Survey, Rockwall County, Texas and within the City's Extraterritorial Jurisdiction (ETJ), and take any action necessary.
3. Discuss and consider process for appointment of future board and commission members, and take any action necessary.

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding status of the selection process for Municipal Court Judge Appointment pursuant to Section, § 551.071 (Consultation with Attorney) and Section § 551.074 (Personnel Matters)
2. Discussion regarding appointment of Mayor Pro-Tem, County of Rockwall Emergency Services Corporation board members (2), and city council subcommittees pursuant to Section, § 551.074 (Personnel Matters).
3. Discussion regarding City Manager performance evaluation, pursuant to Section § 551.074 (Personnel Matters).

4. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
5. Discussions regarding land acquisition associated with easements for the Aqua interconnect for municipal purposes pursuant to Section § 551.072 (Real Property).
6. Discussion regarding legal claim letters: litigation styled, Turner v. City of Rockwall and Young v. City of Rockwall, as well as sewage back up claim, Section § 551.071 (Consultation with Attorney).

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 17th day of May, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary
Jacky Casey, Assistant Secretary

Date Removed

AGENDA
ROCKWALL CITY COUNCIL
Monday, June 03, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager performance evaluation, pursuant to Section § 551.074 (Personnel Matters).
2. Discussion regarding legal claim letter related to Emerald Bay Park and playground equipment pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding legal claim letter related to sewage back up claim pursuant Section § 551.071 (Consultation with Attorney).
4. Discussion regarding possible changes to Bylaws and appointments to the Economic Development Corporation pursuant to § 551.071 (Consultation with Attorney) and § 551.074 (Personnel Matters).
5. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
6. Discussions regarding land acquisition associated with easements from LEJ Partners for the Aqua interconnect for municipal purposes pursuant to Section § 551.072 (Real Property).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, June 03, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER LEWIS

VII. PROCLAMATIONS / AWARDS

1. ISO Rating Award: Jesse William, Deputy State Fire Marshal - Texas Dept. of Insurance

VIII. OPEN FORUM

IX. CONSENT AGENDA

1. Consider approval of the minutes from the May 20, 2013 regular city council meeting, and take any action necessary.
2. Consider a recommendation from the Atmos Cities Steering Committee regarding approval of an **ordinance** adopting a rate review mechanism process and take any necessary action **(1st reading)**.
3. **P2013-016** - Consider a request by Jacob Sumpter of Mycoskie, McInnis and Associates for the approval of a final plat of Lot 1, Block 1, Rockwall Bypass Addition, being a 6.775-acre tract of land situated within the W. H. Baird Survey, Abstract No. 25, Rockwall, Texas, zoned Planned Development District 10 (PD-10), located within the SH-276 Overlay (SH-276 OV) District, and located southwest of the intersection of John King Boulevard and SH-276, and take any action necessary.
4. **P2013-018** - Consider a request by Daniel Dewey of JBI Partners for the approval of a replat for 63 single family lots for the purpose of creating utility easements for franchise utility companies and within Caruth Lakes, Phase 8A, being a 22.654-acre tract of land situated within the Samuel S. McCurrey Abstract, Survey No. 146, Rockwall, Texas, zoned Planned Development District 5 (PD-5), and generally located south of E. Quail Run and west of John King Boulevard, and take any action necessary.
5. **Z2013-013** - Consider approval of an **ordinance** for a request by Zack Amick of Gordon Rockwall Investments, LLC for a Specific Use Permit (SUP) to allow for outside storage of new vehicles in conjunction with an adjacent new car dealership (located at 1540 E. IH-30); the subject property is zoned Light Industrial (LI) District and situated within the IH-30 Corridor Overlay (IH-30 OV) District, on a 4.922-acres tract of land and specifically located at 1530 E. IH-30, City of Rockwall, Texas, and take any action necessary. **(2nd Reading)**

6. **Z2013-014** - Consider approval of an **ordinance** for a request by Jake Petras, on behalf of QuikTrip, for an amendment to Specific Use Permit (SUP) No. S-100 [Ordinance No. 12-30] to allow for a 75-foot pole sign in conjunction with a retail store with more than two (2) gasoline dispensers within a General Retail (GR) District as specified by the Unified Development Code (UDC), for a 1.8169 acre tract of land zoned Commercial (C) District and General Retail (GR) District, and described as part of the Joseph Cadle Survey, Abstract No. 65, being all of Lot 1R, Block A of the Montego Addition, and a portion of Lot 2, Block A of the Rockwall Shopping Center, Rockwall County, Texas, and being generally located at the northwest corner of the intersection of SH-205 and the IH-30 frontage road, within the IH-30 Corridor Overlay (IH-30 OV) District and the SH-205 Corridor Overlay (SH-205 OV) District, and take any action necessary. **(2nd Reading)**
7. **Z2013-015** - Consider approval of an **ordinance** for a request by Stephen Seitz of Seitz Architects, Inc. for approval of a Specific Use Permit (SUP) to allow for the expansion of the existing "Vault Self Storage" mini-warehouse facility located on Lot 1, Block C, Rockwall Business Park East, being 6.06-acres overall, and zoned Commercial (C) District, located at 1280 E. Ralph Hall Parkway, and take any action necessary. **(2nd Reading)**

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with Dana Macalik of the Rockwall Area Chamber of Commerce to hear report regarding Hotel/Motel Occupancy Tax funding granted by the city and utilized for the Chamber's "Visit Rockwall" brochure, Community Wide Directory (magazine and maps) and "Visitrockwall.com" website, and take any action necessary.

XI. PUBLIC HEARING ITEMS

1. **Z2013-011** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Russell Phillips on behalf Rockwall Rental Properties for the approval of a PD Development Plan amending Ordinance 11-43 and in accordance with Ordinance No. 10-21, for property identified as 16 & 16-1 out of the M. J. Barksdale Survey, Abstract No. 11; Lot 7, Block A of the Harbor-Rockwall Addition; Lot 1-1, Block A, Henry Africa Subdivision; and Lot 3A, Block A, Shoreline Plaza Addition, being a 12.72-acre tract of land, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, and generally located south of Interstate Highway 30 and west of Shoreline Drive, and take any action necessary. **(1st Reading)**

XII. ACTION ITEMS

1. Discuss and consider approval of a request from Mr. Bernie Babendure with Babendure Design Group representing Baylor Medical Group regarding a sign plan associated with a sign to be located at 1975 Alpha Drive, and take any action necessary.
2. P2013-014 - Discuss and consider a request by Todd D. Wintters of Engineering Concepts, for approval of a preliminary plat for Rayburn Country Addition, being three (3) lots on an 11.403-acre tract zoned Agricultural District (Ag) and Heavy Commercial District (HC) generally located on the south side of Sids Road east of Mims Road, City of Rockwall, Texas, and take any action necessary.
3. Discuss and consider appointments to the city's Historic Preservation Advisory Board, Park Board and Architectural Review Board, and take any action necessary.
4. Discuss and consider takeline leases and boat docks, and take any action necessary.
5. Discuss and consider status of various legislation, and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - April
Fire Department Monthly Reports - April
Harbor PD Monthly Report - April
Internal Operations Department Monthly Report - April
Recreation Monthly Report - April
RAAC Monthly Report - April
2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager performance evaluation, pursuant to Section § 551.074 (Personnel Matters).
2. Discussion regarding legal claim letter related to Emerald Bay Park and playground equipment pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding legal claim letter related to sewage back up claim pursuant Section § 551.071 (Consultation with Attorney).

4. Discussion regarding possible changes to Bylaws and appointments to the Economic Development Corporation pursuant to § 551.071 (Consultation with Attorney) and § 551.074 (Personnel Matters).
5. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
6. Discussions regarding land acquisition associated with easements from LEJ Partners for the Aqua interconnect for municipal purposes pursuant to Section § 551.072 (Real Property).

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 31st day of May, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary
Jacky Casey, Assistant Secretary

Date Removed

AGENDA
ROCKWALL CITY COUNCIL
Monday, June 17, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager performance evaluation, pursuant to Section 551.074 (personnel matters).
2. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
3. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
4. Discussion regarding possible changes to Bylaws and appointments to the Economic Development Corporation pursuant to § 551.071 (Consultation with Attorney) and § 551.074 (Personnel Matters).
5. Discussion regarding appointment of city council subcommittees pursuant to Section, § 551.074 (Personnel Matters).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, June 17, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER PRUITT

VII. PROCLAMATIONS / AWARDS

1. America's Prize Winning Musical, 1776
2. Juneteenth

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the June 3, 2013 regular city council meeting, and take any action necessary.
2. Consider approval of amended minutes for the May 6, 2013 regular city council meeting, and take any action necessary.
3. Consider approval of an **ordinance** amending Chapter 4, Alcoholic Beverages, Article II. Permits, Sec. 4-23 and Sec. 4-25 to provide for an updated fee schedule in accordance with current fees prescribed by the Texas Alcoholic Beverage Commission and to provide for local/city permits to be issued on a biennial (every two years) basis in conjunction with state issued alcoholic beverage permits, and take any action necessary. **(1st reading)**
4. **P2013-017** - Discuss and consider a request by Daniel Dewey of JBI Partners for the approval of a final plat for 31 single family lots within Caruth Lakes, Phase 7C, being a 8.173-acre tract of land situated within the Mial B. Jones Survey, Abstract No. 122 and the Samuel S. McCurrey Abstract, Survey No. 146, Rockwall, Texas, zoned Planned Development District 5 (PD-5), and generally located south of E. Quail Run and west of John King Boulevard, and take any action necessary.
5. **P2013-019** - Discuss and consider a request by Daniel Dewey of JBI Partners for the approval of a final plat for 37 single family lots within Caruth Lakes, Phase 7D, being a 9.617-acre tract of land situated within the Samuel S. McCurry Survey, Abstract No. 146, Rockwall, Texas, zoned Planned Development District 5 (PD-5), and generally located south of E. Quail Run and west of John King Boulevard, and take any action necessary.

6. **P2013-020** - Discuss and consider a request by Daniel Dewey of JBI Partners for the approval of a final plat for 69 single family lots within Caruth Lakes, Phase 8B, being a 25.192-acre tract of land situated within the Mial B. Jones Survey, Abstract No. 122 and the Samuel S. McCurrey Abstract, Survey No. 146, Rockwall, Texas, zoned Planned Development District 5 (PD-5), and generally located south of E. Quail Run and west of John King Boulevard, and take any action necessary.
7. **P2013-021** - Discuss and consider a request by Gerald Monk of Monk Consulting Engineers, Inc. for the approval of a preliminary plat of Lot 1, Block A, Corrigan Law Office Addition, being a 0.31-acre tract of land situated within the R. Ballard Survey, Abstract No. 29, Rockwall, Texas, zoned Light Industrial (LI) District, located on the east side of T. L. Townsend Drive north of IH-30, and take any action necessary.
8. Consider approval of a resolution authorizing the closing of the purchase from Aqua Utilities, Inc./Aqua Development, Inc. (DBA Aqua Texas, Inc.) of the utility assets serving the Lake Rockwall Estates Subdivision, and take any action necessary.
9. Consider a recommendation from the Atmos Cities Steering Committee regarding approval of an **ordinance** adopting a rate review mechanism process and take any necessary action **(2nd reading)**.
10. **Z2013-011** - Consider approval of an **ordinance** for a request by Russell Phillips on behalf Rockwall Rental Properties for the approval of a PD Development Plan amending Ordinance 11-43 and in accordance with Ordinance No. 10-21, for property identified as 16 & 16-1 out of the M. J. Barksdale Survey, Abstract No. 11; Lot 7, Block A of the Harbor-Rockwall Addition; Lot 1-1, Block A, Henry Africa Subdivision; and Lot 3A, Block A, Shoreline Plaza Addition, being a 12.72-acre tract of land, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, and generally located south of Interstate Highway 30 and west of Shoreline Drive, and take any action necessary. **(2nd Reading)**

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with Bill Bricker representing Rockwall Breakfast Rotary to discuss and consider waiver of Harbor related fees associated with Dallas Race Week 2013 "Family Fun Night" to be held June 21, 2013 and take any action necessary.

X. SITE PLANS / PLATS

1. **SP2013-008** - Discuss and consider a request by Gerald Monk of Monk Consulting Engineers, Inc. for the approval of variances to the exterior materials requirements in conjunction with a site plan for a law office on a 0.31-acre tract of land situated within the R. Ballard Survey, Abstract No. 29, Rockwall, Texas, zoned Light Industrial (LI) District, located on the east side of T. L. Townsend Drive north of IH-30, and take any action necessary.

XI. ACTION ITEMS

1. Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 26 - Motor Vehicles and Traffic, Article VII - Stopping, Standing or Parking, Section 26-505 – Prohibited in Specified Places, to add an additional provision restricting parking along the North and South side of Summer Lee Drive from FM 740 TO Bourbon Street Circle, and taken any action necessary (**1st reading**).
2. Discuss and consider the expiration of an existing 212 Agreement for two (2) areas contiguous with the City of Rockwall's city limits and being identified as (1) approximately 177.47-acres of land located west of SH205, south of FM549 and northeast of Hanby Lane; and (2) approximately 45.00-acres of land located along the southeast side of FM550, south of SH276; and take any action necessary.
3. Discuss and consider a request from Mr. Dennis Baars with Hightech Signs representing Burkes Outlet for a height variance for two wall signs located at 2717 Market Center Dr, and take any action necessary.
4. Discuss and consider authorizing the City Manager to enter into a concessionaire agreement with All Harbors Water Taxi and take any action necessary.
5. Hold a Show Cause Hearing to discuss and consider demolition of a dangerous building located at 214 Diana, and take any action necessary.
6. Hold a Show Cause Hearing to discuss and consider demolition of a dangerous building located at 305 Blanche Drive, and take any action necessary.
7. Hold a Show Cause Hearing to discuss and consider demolition of a dangerous building located at 314 Wayne Drive, and take any action necessary.
8. Discuss and consider appointment(s) to the city's Architectural Review Board, and take any action necessary.
9. Discuss and consider approval of an **ordinance** authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding and Improvement Bonds, Series 2013; establishing procedures and delegating authority for the sale and delivery of the Bonds; providing an effective date; and enacting other provisions relating to the subject. (**1st reading**) - No action will be taken

10. Discuss and consider approval of an **ordinance** authorizing the issuance of City of Rockwall, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2013; establishing procedures and delegating authority for the sale and delivery of the Certificates; providing an effective date; enacting other provisions relating to the subject and take any action necessary. **(1st reading)** - No action will be taken.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager performance evaluation, pursuant to Section 551.074 (personnel matters).
2. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
3. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
4. Discussion regarding possible changes to Bylaws and appointments to the Economic Development Corporation pursuant to § 551.071 (Consultation with Attorney) and § 551.074 (Personnel Matters).
5. Discussion regarding appointment of city council subcommittees pursuant to Section, § 551.074 (Personnel Matters).

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 14th day of June, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary

AGENDA
ROCKWALL CITY COUNCIL
Monday, July 01, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. (4:00 P.M.) EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the criteria and qualifications for City Attorney and to conduct interviews for the position of City Attorney pursuant to Section 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)

III. (4:30 P.M.) WORK SESSION

1. Appointment with Brad Moulton, representing la terra studio, to give an update of the Downtown Improvement Project and discuss certain design issues associated with the project, and take any action necessary.

IV. (5:00 P.M.) EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager performance evaluation, pursuant to Section 551.074 (personnel matters).
2. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
3. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).

V. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, July 01, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

VI. RECONVENE PUBLIC MEETING

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VIII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

IX. OPEN FORUM

X. CONSENT AGENDA

1. Consider approval of the minutes from the June 17, 2013 regular city council meeting, and take any action necessary.
2. Consider adoption of a resolution approving and authorizing the execution and delivery of a project agreement with the Rockwall Economic Development Corporation for the payment of costs of infrastructure improvements for the Rockwall Technology Park and take any action necessary.
3. Consider adoption of a resolution approving a resolution of the Rockwall Economic Development Corporation authorizing the issuance of the Corporation's sales tax revenue bonds; confirming a sales tax collection resolution; and enacting other provisions relating to the subject, and take any action necessary.
4. Consider approval of a proposal from Gifford Electric in the amount of \$49,900.00 for two new outdoor emergency warning sirens to be funded from budgeted general fund reserves, and take any necessary action.
5. Consider approval of a contract amendment with AT&T for equipment upgrades on the water tower located at 730 E. Interstate 30 (Southside Water Yard facility), authorizing the City Manager to execute the contract amendment on behalf of the City, and take any necessary action.
6. Consider approval of a contract amendment with AT&T for equipment upgrades on the water tower located at 305 E. Boydston Avenue (Fire Station #1), authorizing the City Manager to execute the contract amendment on behalf of the City, and take any necessary action.
7. Consider approval of an **ordinance** amending Chapter 4, Alcoholic Beverages, Article II. Permits, Sec. 4-23 and Sec. 4-25 to provide for an updated fee schedule in accordance with current fees prescribed by the Texas Alcoholic Beverage Commission and to provide for local/city permits to be issued on a biennial (every two years) basis in conjunction with state issued alcoholic beverage permits, and take any action necessary. **(2nd reading)**

8. Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 26 - Motor Vehicles and Traffic, Article VII - Stopping, Standing or Parking, Section 26-505 – Prohibited in Specified Places, to add an additional provision restricting parking along the North and South side of Summer Lee Drive from FM 740 TO Bourbon Street Circle, and taken any action necessary **(2nd reading)**.

XI. APPOINTMENTS

1. Appointment with Dana Macalik of the Rockwall Area Chamber of Commerce to request a waiver of Harbor related fees for a Chamber event to be held in the fall (September 28-29, 2013), and take any action necessary.
2. Appointment with Mr. Richard Taylor to hear fire department related concerns, and take any action necessary.

XII. ACTION ITEMS

1. Discuss and consider installation of speed control devices along Lake Forest Drive in the Hillcrest Shores subdivision, and take any action necessary.
2. Discuss and consider a request from Mr. Jim Meara representing Schuler Development for a sign plan to allow an additional sign to be located at the corner of Horizon Road (FM 3097) and Medical Drive, and take any action necessary.
3. Discuss and consider the expiration of an existing 212 Agreement for two (2) areas contiguous with the City of Rockwall's city limits and being identified as (1) approximately 177.47-acres of land located west of SH205, south of FM549 and northeast of Hanby Lane; and (2) approximately 45.00-acres of land located along the southeast side of FM550, south of SH276; and take any action necessary.
4. Discuss and consider an **ordinance** authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding and Improvement Bonds, Series 2013; establishing procedures and delegating authority for the sale and delivery of the Bonds; providing an effective date; enacting other provisions relating to the subject and take any action necessary. **(2nd reading)**
5. Discuss and consider an **ordinance** authorizing the issuance of City of Rockwall, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2013; establishing procedures and delegating authority for the sale and delivery of the Certificates; providing an effective date; enacting other provisions relating to the subject and take any action necessary. **(2nd reading)**
6. Discuss and consider re-appointments to the city's Historic Preservation Advisory Board (HPAB) and an appointment to the city's Park Board, and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Report - May 2013
Finance Department Monthly Report - May 2013
Fire Department Monthly Reports - May 2013
Harbor PD Monthly Report - May 2013
Police Department Monthly Report - May 2013
RAAC Monthly Report - May 2013
Recreation Monthly Report - May 2013
STAR Transit Quarterly Report
2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager performance evaluation, pursuant to Section 551.074 (personnel matters).
2. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
3. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 28th day of June, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary

AGENDA
ROCKWALL CITY COUNCIL
Monday, July 15, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding deliberation of appointment of City Attorney, including the criteria and qualifications for City Attorney, and to conduct interviews for the position of City Attorney pursuant to Section 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)
3. Discussion regarding City Manager performance evaluation, pursuant to Section 551.074 (personnel matters).

III. ADJOURN EXECUTIVE SESSION

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 12th day of July, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Jacky Casey, Assistant Secretary

Date Removed

AGENDA
ROCKWALL CITY COUNCIL
Monday, July 15, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM WHITE

VII. PROCLAMATIONS / AWARDS

1. Erica Kuntz Proclamation

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the July 1, 2013 regular city council meeting, and take any action necessary.
2. Consider approval of a resolution and purchasing agreement for participation in a cooperative purchasing program with the City of Grand Prairie, Texas for goods, materials and services, and take any action necessary.
3. Consider approval of a contract with Reynolds Asphalt & Construction Company to reconstruct existing asphalt streets in various locations in the amount of \$432,000.00 utilizing the Interlocal Purchasing Agreement with the City of Grand Prairie, and take any action necessary.
4. Consider approval of an **ordinance** amending the Code of Ordinances in Part III. Unified Development Code, Article IX. Tree Preservation, Section 8. Tree Transplanting, to provide for an amended diagram associated with tree transplanting, and take any action necessary. **(1st reading)**
5. **P2013-023** - Consider a request by Bobby Samuels on behalf of the Skorburg Company for the approval of a final plat of Phase I of the Breezy Hill Addition, which is identified as a 21.845-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Texas, zoned Planned Development District 74 (PD-74), and generally located along the east side of John King Boulevard, north of FM-552, and take any action necessary.
6. **P2013-024** - Consider a request by Bobby Samuels on behalf of the Skorburg Company for the approval of a final plat of Phases IIA & IIB of the Breezy Hill Addition, which is identified as a 35.812-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Texas, zoned Planned Development District 74 (PD-74), and generally located along the east side of John King Boulevard, north of FM 552, and take any action necessary.

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with Scott Self of Sail with Scott, LLC to consider a request for an amendment to the existing Concession Agreement, and take any action necessary.
3. Appointment with David Medanich of First Southwest Company to hear report regarding the municipal bond market, and take any action necessary.

X. PUBLIC HEARING ITEMS

1. **Z2013-017** - Hold a public hearing to discuss and consider a request by Stacy McVey on behalf of Double Eagle Properties, LLC for the approval of a Specific Use Permit to allow for a restaurant (exceeding 2,000 square feet) with a drive-through and drive-in within Planned Development District 9 (PD-9) for a property designated for General Retail (GR) District uses, described as a 0.9218-acre portion of a larger tract of land identified as Tract 4-9, E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9), situated within the Scenic Overlay (SOV) District, located at the northeast corner of the intersection of Ridge Road [FM-740] and Summer Lee Drive, and take any action necessary.

XI. SITE PLANS / PLATS

1. **P2013-022** - Discuss and consider a request by Cameron Slown on behalf of Harbor Heights Investors, LP for the approval of a final plat of the Harbor District Addition creating five (5) non-residential lots on property zoned Planned Development District 32 (PD-32) and identified as a 10.812-acre tract of land situated in the M. J. Barksdale Survey, Abstract No. 11 and the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and being generally located south of Interstate Highway 30 (IH-30) and east of Shoreline Drive, and take any action necessary.
2. **SP2013-011** - Discuss and consider a request by Marlyn Roberts for the approval of a variance to the Architectural Standards contained within the requirements of the SH 205 Overlay (SH 205 OV) District to allow for an accessory structure in association with an amended site plan located on Lot 2, Block 1, Meadowcreek Business Center Addition, being a 2.02-acre tract of land, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located east of the intersection of Ralph Hall Parkway and S. Goliad Street (SH-205), and take any action necessary. (3/4 majority vote required for approval)
3. **SP2013-017** - Discuss and consider a request by Marlyn Roberts for the approval of a special exception to allow for incidental display that is not adjacent or connected to the primary structure in association with an amended site plan for a stand-alone quick lube business located on Lot 2, Block 1, Meadowcreek Business Center Addition, being a 2.02-acre tract of land, zoned Commercial (C) District, situated within the SH-205 Overlay

(SH-205 OV) District, located east of the intersection of Ralph Hall Parkway and S. Goliad Street (SH-205), and take any action necessary.

4. **SP2013-014** - Discuss and consider a request by Steven Schwartz on behalf of Potomac Rockwall Partnership, LP for the approval of a exception for the allowance of concrete tilt-up wall construction in association with an approved Site Plan for a La-Z-Boy furniture store on a 2.519-acre parcel of land that is identified as Lot 2, Block 1, Rockwall Centre Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and generally located northeast of the intersection of S. Goliad Street (SH-205) and the IH-30 frontage road, and take any action necessary.

XII. ACTION ITEMS

1. Discuss and consider adoption of an **ordinance** amending an ordinance authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding and Improvement Bonds, Series 2013; providing an effective date; enacting other provisions relating to the subject, and take any action necessary. **(1st reading)**
2. Discuss and consider adoption of an **ordinance** amending an ordinance authorizing the issuance of City of Rockwall, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2013; providing an effective date; enacting other provisions relating to the subject, and take any action necessary. **(1st reading)**
3. Discuss and consider adoption of a resolution approving an amendment to a resolution of the Rockwall Economic Development Corporation authorizing the issuance of the Corporation's sales tax revenue bonds; confirming a sales tax collection resolution; enacting other provisions relating to the subject, and take any action necessary.
4. Discuss and consider a recommendation of the city council's Hotel/Motel Tax Sub-Committee regarding a request from the Rockwall Area Chamber of Commerce for supplemental funding, and take any action necessary.
5. Discuss and consider a proposal from Rockwall ISD that the City of Rockwall provide two additional School Resource Officers for the upcoming school year, providing a funding mechanism, and take any action necessary.
6. Discussing regarding taxable value of The Harbor properties and status of current city agreements related to The Harbor.
7. Discuss and consider overview of the city's budget process and outlook for Fiscal Year 2014, and take any action necessary.
8. Discuss and consider approval of an amended development agreement that has been offered by the City, in accordance with Chapter 212 of the Texas Local Government Code, and accepted by the property owner of a 4.273-acre tract of land known as Tract, 25-09, Abstract 187 J. Strickland Survey, Rockwall County, Texas and within the City's Extraterritorial Jurisdiction (ETJ), and take any action necessary.

9. Discuss and consider approval of a resolution requesting that the Texas Department of Transportation (TXDOT) allow temporary closure of SH 205 from SH 276 to FM 549 between the hours of 7 AM and 1 PM on Sunday, October 6, 2013 in conjunction with the Toyota US Open Triathlon, and take any action necessary.
10. Discuss and consider amending the city's Code of **Ordinances** in Chapter 30, Parks and Recreation, regarding establishment of regulations, guidelines and fees for the use of indoor and outdoor park facilities, and take any action necessary. **(1st reading)**
11. Discuss and consider a recommendation by the city council's Youth Sports Subcommittee regarding youth program contracts, and take any action necessary.
12. Discuss and consider appointments to the city's Historic Preservation Advisory Board, and take any action necessary.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding deliberation of appointment of City Attorney, including the criteria and qualifications for City Attorney, and to conduct interviews for the position of City Attorney pursuant to Section 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)
3. Discussion regarding City Manager performance evaluation, pursuant to Section 551.074 (personnel matters).

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 12th day of July, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

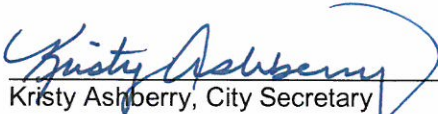
Jacky Casey, Assistant Secretary

AGENDA
ROCKWALL CITY COUNCIL
Friday, July 26, 2013
7:30 a.m. Budget Work Session
City Courts Building, 2860 SH-66 Rockwall, TX 75087

1. CALL TO ORDER
2. (7:30 A.M.) BREAKFAST
3. (8:00 A.M.) HOLD BUDGET WORK SESSION TO DISCUSS AND CONSIDER CITY OF ROCKWALL'S FISCAL YEAR 2014 BUDGET, AND TAKE ANY ACTION NECESSARY.
4. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 22nd day of July, 2013 at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.


Kristy Ashberry, City Secretary
Jacky Casey, Assistant Secretary



Date Removed

AGENDA
ROCKWALL CITY COUNCIL
Monday, July 29, 2013
4:00 p.m. Special City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

- 1. CALL TO ORDER**

- 2. HEAR PRESENTATION REGARDING THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS' (NCTCOG) TRANSIT NEEDS ASSESSMENT AND PLANNING STUDY FOR ROCKWALL COUNTY, AND TAKE ANY ACTION NECESSARY.**

- 3. ADJOURNMENT**

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 26th day of July, 2013 at 3:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Jacky Casey, Assistant Secretary

Date Removed

AGENDA
ROCKWALL CITY COUNCIL
Monday, August 05, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding park property and property adjacent to the lake pursuant to Section § 551.072 (Real Property)
2. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
3. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
4. Discussion regarding possible changes to Bylaws and appointments to the Economic Development Corporation, including an RISD liaison and a Rockwall County liaison, pursuant to § 551.071 (Consultation with Attorney) and § 551.074 (Personnel Matters).
5. Discussion of Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)
7. Discussion regarding Economic Development retail project pursuant to Section 551.087 (Economic Development)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, August 05, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR SWEET

VII. OPEN FORUM

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the July 15, 2013 regular city council meeting, and take any action necessary.
2. Consider approval of the minutes from the July 26, 2013 Budget Work Session, and take any action necessary.
3. Consider approval of the minutes from the July 29, 2013 special city council meeting, and take any action necessary.
4. Consider approval of a resolution requesting financial reimbursement from the Texas Department of Transportation Aviation Division related to the Airport Development Plan at the Ralph M. Hall / Rockwall Municipal Airport and naming the Texas Department of Transportation Aviation Division as its agent for the purposes of applying for, receiving and disbursing all funds and for the administration of contracts necessary for completion of the grant process, and take any action necessary.
5. Consider approval of a Memorandum of Understanding with the City of Rowlett for mutual use of municipal Emergency Operations Centers (EOCs) as back-up EOC locations, and take any action necessary.
6. **Z2013-017** - Consider approval of an **ordinance** for a request by Stacy McVey on behalf of Double Eagle Properties, LLC for the approval of a Specific Use Permit to allow for a restaurant (exceeding 2,000 square feet) with a drive-through and drive-in within Planned Development District 9 (PD-9) for a property designated for General Retail (GR) District uses, described as a 0.9218-acre portion of a larger tract of land identified as Tract 4-9, E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9), situated within the Scenic Overlay (SOV) District, located at the northeast corner of the intersection of Ridge Road [FM-740] and Summer Lee Drive, and take any action necessary. **(1st Reading)**
7. Consider approval of an **ordinance** amending the Code of Ordinances in Part III. Unified Development Code, Article IX. Tree Preservation, Section 8. Tree Transplanting, to provide for an amended diagram associated with tree transplanting, and take any action necessary. **(2nd reading)**

8. Consider amending the city's Code of **Ordinances** in Chapter 30, Parks and Recreation, regarding establishment of regulations, guidelines and fees for the use of indoor and outdoor park facilities, and take any action necessary. **(2nd reading)**
9. Consider approval of an interlocal agreement between the City of Rockwall and the Rockwall Independent School District (RISD) for provision of school resource officers, and take any action necessary.

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

X. SITE PLANS / PLATS

1. **P2013-022** - Discuss and consider a request by Cameron Slown on behalf of Harbor Heights Investors, LP for the approval of a final plat of the Harbor District Addition creating five (5) non-residential lots on property zoned Planned Development District 32 (PD-32) and identified as a 10.812-acre tract of land situated in the M. J. Barksdale Survey, Abstract No. 11 and the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and being generally located south of Interstate Highway 30 (IH-30) and east of Shoreline Drive, and take any action necessary.

XI. ACTION ITEMS

1. Discuss and consider a Hotel/Motel tax subcommittee recommendation regarding supplemental funding requests from the Rockwall County Alliance for the Arts and take any action necessary.
2. Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 10, Article III "Building Code," Section 10-117 "Amendments," Section 903.2.9.3, "Exceptions" and Chapter 18, Article II "Fire Code Standards," Section 18-33 "Amendments to Adopted Code," Section 903.2.9.3, "Exceptions" to modify an exception related to one-story self-service storage facilities that have no interior corridors regarding installation of automatic fire sprinkler systems, and take any action necessary. **(1st reading)**
3. Discuss and consider approval of an amended development agreement that has been offered by the City, in accordance with Chapter 212 of the Texas Local Government Code, and accepted by the property owner of a 4.273-acre tract of land known as Tract, 25-09, Abstract 187 J. Strickland Survey, Rockwall County, Texas and within the City's Extraterritorial Jurisdiction (ETJ), and take any action necessary.

4. Discuss and consider a request from Mrs. Ashley Howry for approval of a front yard fence to be located at 501 Storrs St, and take any action necessary.
5. Discuss and consider a request from Mr. Brian Lambatis with Complete Signs representing Raising Cane's for a height variance for a pole sign to be located at 1114 IH 30, and take any action necessary.
6. Discuss and consider providing input regarding the North Central Texas Council of Governments Transit Needs Assessment and Planning Study for Rockwall County, and take any action necessary.
7. Discuss and consider City of Rockwall Fiscal Year 2014 Budget and proposed tax rate, including calling of Public Hearings and associated dates, and take any action necessary.
8. Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 20 Floods, Article II. Flood Hazard Damage Prevention and Control, Division 3 Flood Hazard Reduction, Section 20-83 Engineering Standards to add provisions regarding engineering flood study consultant review fees, charging the developer, engineer or property owner of private developments the cost of said consultant review fees, and take any action necessary. **(1st reading)**
9. Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 38 Subdivision, Article I. In General, Section 38-15 Miscellaneous Requirements to provide for payment requirements associated with overtime costs for engineering inspections occurring outside of normal engineering inspection hours, and take any action necessary. **(1st reading)**
10. Discuss and consider approval of an interlocal agreement between the City of Rockwall and the City of Fate for Rockwall to provide emergency dispatch services to Fate, and take any action necessary.
11. Discussion regarding taxable value of The Harbor properties and status of current city agreements related to The Harbor.
12. Discuss and consider appointment(s) to the city's Architectural Review Board, and take any action necessary.
13. Discuss and consider support of retail holiday sales, and take any action necessary.
14. Discuss and consider development potential and related standards for larger lots and homes within the city, and take any action necessary.

XII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
 - Building Inspections Monthly Report - June 2013
 - Fire Dept. Monthly Reports - June 2013
 - Harbor PD Monthly Report - June 2013
 - Internal Operations Monthly Report - June 2013
 - Police Department Monthly Report - June 2013

RAAC Monthly Report - June 2013
Recreation Monthly Report - June 2013
Rockwall County Committee on Aging Quarterly Report

2. City Manager's Report

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding park property and property adjacent to the lake pursuant to Section § 551.072 (Real Property)
2. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
3. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
4. Discussion regarding possible changes to Bylaws and appointments to the Economic Development Corporation, including an RISD liaison and a Rockwall County liaison, pursuant to § 551.071 (Consultation with Attorney) and § 551.074 (Personnel Matters).
5. Discussion of Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)
7. Discussion regarding Economic Development retail project pursuant to Section 551.087 (Economic Development)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 2nd day of August, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary

AGENDA
ROCKWALL CITY COUNCIL
Monday, August 19, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding land acquisition in the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
2. Discussion regarding appointments to the Economic Development Corporation, including an RISD liaison and a Rockwall County liaison, pursuant to § 551.071 (Consultation with Attorney) and § 551.074 (Personnel Matters).
3. Discussion regarding park property and property adjacent to the lake pursuant to Section § 551.072 (Real Property)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, August 19, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER

VII. CONSENT AGENDA

1. Consider approval of the minutes from the August 5, 2013 regular city council meeting, and take any action necessary.
2. Consider authorizing the City Manager to convey excess right of way to the Rockwall Economic Development Corporation (REDC), and take any action necessary.
3. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 10, Article III "Building Code," Section 10-117 "Amendments," Section 903.2.9.3, "Exceptions" and Chapter 18, Article II "Fire Code Standards," Section 18-33 "Amendments to Adopted Code," Section 903.2.9.3, "Exceptions" to modify an exception related to one-story self-service storage facilities that have no interior corridors regarding installation of automatic fire sprinkler systems, and take any action necessary. **(2nd reading)**
4. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 20 Floods, Article II. Flood Hazard Damage Prevention and Control, Division 3 Flood Hazard Reduction, Section 20-83 Engineering Standards to add provisions regarding engineering flood study consultant review fees, charging the developer, engineer or property owner of private developments the cost of said consultant review fees, and take any action necessary. **(2nd reading)**
5. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 38 Subdivision, Article I. In General, Section 38-15 Miscellaneous Requirements to provide for payment requirements associated with overtime costs for engineering inspections occurring outside of normal engineering inspection hours, and take any action necessary. **(2nd reading)**
6. Z2013-017 - Consider approval of an **ordinance** for a request by Stacy McVey on behalf of Double Eagle Properties, LLC for the approval of a Specific Use Permit to allow for a restaurant (exceeding 2,000 square feet) with a drive-through and drive-in within Planned Development District 9 (PD-9) for a property designated for General Retail (GR) District uses, described as a 0.9218-acre portion of a larger tract of land identified as Tract 4-9, E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall

County, Texas, zoned Planned Development District 9 (PD-9), situated within the Scenic Overlay (SOV) District, located at the northeast corner of the intersection of Ridge Road [FM-740] and Summer Lee Drive, and take any action necessary. **(2nd Reading)**

7. Consider approval of a Mutual Aid Agreement between the City of Rockwall and the North Central TX Council of Governments (NCTCOG) regarding the provision of Public Works related mutual aid following major natural disasters, civil or other emergencies, and take any action necessary.
8. Consider authorizing the City Manager to renew an annual contract with Weldon's Lawn for grounds maintenance of city facilities in the amount of \$186,000 to be funded out of the Parks Operating Budget, and take any action necessary.

VIII. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with a representative of the Rockwall High School Orange Wave Band to request a waiver of fees for a band function at Harry Myers Pool and take any action necessary.
3. Appointment with Mr. Jack Athey to hear concerns related to the Ralph M. Hall / Rockwall Municipal Airport and take any action necessary.
4. Appointment with Molly Peterson of the Collin County Humane Society to hear annual report regarding Rockwall Animal Adoption Center operations, and take any action necessary.

IX. PUBLIC HEARING ITEMS

1. Hold a public hearing to receive citizen input regarding the proposed Fiscal Year 2013-14 Budget and tax rate, and take any action necessary.

X. SITE PLANS / PLATS

1. **P2013-025** - Discuss and consider a request by Maria C. Bonilla for the approval of a replat for Lots 23, 24 & 25, Block A, Horizon Ridge Addition containing four (4) non-residential lots, zoned Commercial (C) District, on 14.4-acres, currently identified as Lots 6, 17, 18 & 19, Block A, Horizon Ridge Addition, City of Rockwall, Texas, generally located at the southeast corner of Ridge Road (FM-740) and Horizon Road (FM-3097), situated within the Scenic Overlay (SOV) District, and take any action necessary
2. **SP2013-019** - Discuss and consider a request by Michael Johnston on behalf of the owner Seper Rasti for variances to the site design standards and the roof design standards of the Scenic Overlay (SOV) District in

association with an approved Site Plan to construct two (2) office buildings on a 1.02-acre parcel of land identified as Lot 13-R, Block A, Horizon Ridge Addition, City of Rockwall, Rockwall County, Texas; zoned Planned Development District 9 (PD-9), situated within the Scenic Overlay (SOV) District, and generally located south of IH-30 on the east side of FM-740 (Ridge Road), and take any action necessary.

3. **SP2013-020** - Discuss and consider a request by Bruce Dunne of Icon Consulting Engineers, Inc. for a variance to the site design standards of the IH-30 Overlay (IH-30 OV) and the SH-205 Overlay (SH-205 OV) Districts in association with an approved Site Plan for a Luby's Fuddrucker's restaurant on a 2.230-acre parcel of land that is identified as Lot 11, Block 1, Rockwall Centre Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the SH-205 Overlay (SH-205 OV) District, and located at the southeast corner of the intersection of Interstate 30 (IH-30) and S. Goliad St. (SH-205), and take any action necessary.

XI. ACTION ITEMS

1. Discuss and consider a request from Mrs. Karen D Clayton with MidSouth Bank for a height variance for a pole sign located at 1102 IH 30, and take any action necessary.
2. Discuss and consider a request from Mr. Tommy Bell with Barnett Sign representing Honda of Rockwall for approval of a sign plan located at 1550 IH 30, and take any action necessary
3. Discuss and consider a request by Rockwall Housing Authority to waive their PILOT tax (Payments in Lieu of Taxes) for Fiscal Year 2012, and take any action necessary.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussions regarding land acquisition in the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
2. Discussion regarding appointments to the Economic Development Corporation, including an RISD liaison and a Rockwall County liaison, pursuant to § 551.071 (Consultation with Attorney) and § 551.074 (Personnel Matters).
3. Discussion regarding park property and property adjacent to the lake pursuant to Section § 551.072 (Real Property)

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 16th day of August, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary
Jacky Casey, Assistant Secretary

Date Removed

AGENDA
ROCKWALL CITY COUNCIL
Tuesday, September 03, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
2. Discussion regarding appointments to the Economic Development Corporation, including an RISD liaison and a Rockwall County liaison, pursuant to § 551.071 (Consultation with Attorney) and § 551.074 (Personnel Matters).
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Tuesday, September 03, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VII. PROCLAMATIONS / AWARDS

1. Blood Cancer Awareness Month

VIII. OPEN FORUM

IX. CONSENT AGENDA

1. Consider approval of the minutes from the August 19, 2013 regular city council meeting, and take any action necessary.
2. Consider approval of a resolution regarding the abandonment of an existing utility easement to Rockwall Central S/C II Ltd. for the Quik Trip project, authorizing the Mayor to execute and issue a quitclaim deed, and take any action necessary.
3. Consider approval of a resolution regarding the abandonment of an existing sanitary sewer easement to Rockwall Central S/C II Ltd., for the Quik Trip project, authorizing the Mayor to execute and issue a quitclaim deed, and take any action necessary.
4. Consider approval of a resolution regarding the abandonment of an existing fire lane easement to Rockwall Central S/C II Ltd., for the Quik Trip project, authorizing the Mayor to execute and issue a quitclaim deed, and take any action necessary.
5. Consider approval of an **ordinance** amending the city's Code of Ordinances in Chapter 6. Animals, Article IV. Rabies Control, Sec. 6-120. Procedure for Biting Animals to provide for updated quarantine provisions, and take any action necessary. **(1st Reading)**
6. Consider approval of a resolution authorizing the City Manager to execute a notice of Renunciation and Reconveyance of Gift of real property by Happy Country Homes of Texas, and take any action necessary.
7. P2013-028 - Consider a request by Bobby Samuel of Skorburg Company for the approval of a final plat for a 12.003-acre tract of land, identified as Lot 1, Block A of the RISD Elementary School Addition, being situated within the W. T. DeWeese Survey, Abstract No. 71, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70), generally located south of FM-552 and east of SH-205, and take any action necessary.

X. APPOINTMENTS

1. Appointment with Marlyn Roberts to discuss alternatives to the exterior building materials and roofing requirements as required by the approval of the special exception granted for the incidental display located at 2325 S. Goliad, and take any action necessary.
2. Appointment with Scott Self of Sail with Scott to discuss and consider approval of an additional boat dock at The Harbor, and take any action necessary.
3. Appointment with Kathy Howe, ANB Trust to hear recommendations regarding the City's 457 Deferred Compensation plan, and take any action necessary

XI. ACTION ITEMS

1. Discuss and consider approval of an **ordinance** amending the budget for fiscal year 2013, and take any action necessary.
2. Discuss and consider approval of an **ordinance** adopting the budget for fiscal year 2014, and take any action necessary
3. Discuss and consider approval of an **ordinance** levying ad valorem taxes for the tax year 2013 and take any action necessary.
4. Discuss and consider approval of an exception to the Code of Ordinance in Chapter 44 Utilities, Article IV Sewers & Sewage Disposal, Division 5 On-Site Sewage Facility, Section 44-243(c) regarding a 1.41 acre tract of land located at the northwest corner of Clem Road and Stodghill Road (FM 3549) to allow the permitting of an on-site sewage facility, and take any action necessary.
5. Discuss and consider approval of an **ordinance** altering the prima facie speed limits establishes for vehicles under the provisions of the transportation code, Section 545.356, upon Corporate Crossing from IH-30 to SH-276 lowering the speed limit to 50 miles per hour, and take any action necessary. **(1st reading)**
6. Discuss and consider approval of a resolution establishing a public hearing date to consider the updated land use assumptions for establishing updated roadway impact fees, a capital improvements plan and the adoption of roadway impact fees.
7. Discuss and consider appointments to the city's Historic Preservation Advisory Board, Animal Advisory Board and Park Board, and take any action necessary.

XII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - July 2013
Fire Dept. Monthly Reports - July 2013

Harbor PD Monthly Report - July 2013
Internal Operations Department Monthly Report - July 2013
Police Department Monthly Report - July 2013
Recreation Monthly Report - July 2013
RAAC Monthly Report - July 2013

2. City Manager's Report

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding deliberation of appointment of City Attorney, including update from council subcommittee, pursuant to Section 551.074 (personnel matters).
2. Discussion regarding appointments to the Economic Development Corporation, including an RISD liaison and a Rockwall County liaison, pursuant to § 551.071 (Consultation with Attorney) and § 551.074 (Personnel Matters).
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 30th day of August, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary

AGENDA
ROCKWALL CITY COUNCIL
Monday, September 16, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. (4:00 P.M.) WORK SESSION

1. Hold work session to discuss and consider development potential and related guidelines for larger lots and homes within the city, and take any action necessary.
2. Hold work session to discuss and consider signage along the IH-30 Overlay Corridor, and take any action necessary.

III. (5:00 P.M.) EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding potential acceptance of a parkland dedication gift near Raymond Cameron Lake from the Caruth Lakes Homeowners Association (HOA) pursuant to Section § 551.071 (Consultation with Attorney) and Section § 551.072 (Real Property).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)
3. Discussion regarding appointments to the Economic Development Corporation, including a Rockwall County liaison, pursuant to § 551.071 (Consultation with Attorney) and § 551.074 (Personnel Matters).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, September 16, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER LEWIS

VIII. PROCLAMATIONS / AWARDS

1. Constitution Week
2. Hispanic Heritage Month

IX. CONSENT AGENDA

1. Consider approval of the minutes from the September 3, 2013 regular city council meeting, and take any action necessary.
2. Consider approval of Change Order Number Four to XIT Paving and Construction, Inc. in the amount of \$79,274.81 as authorized by 2005 Bond Program, for additional work performed on the Corporate Crossing Paving and Drainage Improvement Project, and take any action necessary.
3. Consider adoption of a resolution amending the city's investment policy, and take any action necessary.
4. Consider approval of an interlocal agreement with Rockwall Central Appraisal District for the collection of property taxes, in the amount of \$68,734, to be funded from the administration operating budget, and take any action necessary.
5. **P2013-027** - Consider a request by Bobby Samuel on behalf of the Skorburg Company for the approval of a final plat for Stone Creek, Phase V being a 13.602-acre tract of land situated within the W. T. DeWeese Survey, Abstract No. 71, City of Rockwall, Rockwall County, Texas, and containing 45 single family residential lots, zoned Planned Development District 70 (PD-70), generally located south of FM-552 and east of SH-205, and take any action necessary.
6. Consider approval of an **ordinance** amending the city's Code of Ordinances in Chapter 6. Animals, Article IV. Rabies Control, Sec. 6-120. Procedure for Biting Animals to provide for updated quarantine provisions, and take any action necessary. **(2nd Reading)**

7. Consider approval of an **ordinance** altering the prima facie speed limits establishes for vehicles under the provisions of the transportation code, Section 545.356, upon Corporate Crossing from IH-30 to SH-276 lowering the speed limit to 50 miles per hour, and take any action necessary. **(2nd reading)**
8. Consider approval of an **ordinance** amending Chapter 38. Subdivisions, Article I. In General, Section 38-23. Standards for Design of Development Within Subdivisions Adopted to amend the City of Rockwall's Supplemental Special Provisions to the Standard Specifications for Public Works Construction, North Central Texas, 3rd Edition, and take any action necessary. **(1st reading)**

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with Peter Ambler of All Harbors Ferry Service to hear proposal regarding a concession agreement on Lake Ray Hubbard and to consider authorizing the city manager to execute said concession agreement, and take any action necessary.
3. Appointment with Chris Petty of Suntex Marinas to hear and consider a request regarding temporary waiver of Fire Code requirements, and take any action necessary.

XI. PUBLIC HEARING ITEMS

1. **Z2013-018** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Shea Kirkman on behalf of CADG Rockwall 41, LLC for the approval of a change in zoning from Planned Development District 10 (PD-10) to a General Retail (GR) District for a 3.816-acre tract of land situated within the Joseph Cadle Survey, Abstract No. 65 and the F. Henderson Survey, Abstract No. 119, City of Rockwall, Rockwall County, Texas, situated within the SH-276 Overlay (SH-276 OV) District, located at the northeast corner of the intersection of T. L. Townsend Drive and SH-276, and take any action necessary. **(1st Reading) (Requires a 3/4 majority vote)**
2. **Z2013-019** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by John Spiars with Spiars Engineering, Inc. on behalf of NESBO, LP for the approval of a Specific Use Permit (SUP) to allow for a new car dealership on a 1.06-acre tract of land identified as Tract 12 of the John Lockhart Survey, Abstract No. 134 and a 10.51-acre parcel of land identified as Lot 1, Block A of the Lafon Addition, being a total 11.568-acres, zoned Commercial (C) District and Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located east of John King Boulevard and IH-30, and take any action necessary. **(1st Reading)**

3. **Z2013-020** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by James Brinkley for the approval of a change in zoning from an Agricultural (Ag) District to a Single-Family Estate 2.0 (SFE-2.0) District on a 2.0-acre tract of land identified as Tract 8-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas being located at 5866 S. FM-549 and take any action necessary. **(1st Reading)**
4. **Z2013-021** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by James Brinkley for the approval of a Specific Use Permit (SUP) to allow for an accessory building that does not conform to the exterior material requirements as specified for a property zoned for Single-Family Estate 2.0 (SFE-2.0) District uses by the Unified Development Code, being a 2.0-acre tract of land identified as Tract 8-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located at 5866 S. FM-549 and take any action necessary. **(1st Reading)**
5. **P2013-026** - Hold a public hearing to discuss and consider a request by Michael Mishler on behalf of Todd & Denise Park for the approval of a replat combining two (2) single family residential lots being identified as Lots 4 & 5, Block A of Chandlers Landing, Phase 7 into one (1) single family residential lot being identified as Lot 23, Block A of Chandlers Landing, Phase 7, located within the City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8), located at 104 & 106 Thistle Place, and take any action necessary.
6. Hold a Public Hearing to discuss and consider approval of an exception to the Code of Ordinance in Chapter 44 Utilities, Article IV Sewers & Sewage Disposal, Division 5 On-Site Sewage Facility, Section 44-243(c) regarding a 1.41 acre tract of land located at the northwest corner of Clem Road and Stodghill Road (FM 3549) to allow the permitting of an on-site sewage facility, and take any action necessary.

XII. ACTION ITEMS

1. **P2013-022** - Discuss and consider a request by Cameron Slown on behalf of Harbor Heights Investors, LP for the approval of a final plat of the Harbor District Addition creating five (5) non-residential lots on property zoned Planned Development District 32 (PD-32) and identified as a 10.812-acre tract of land situated in the M. J. Barksdale Survey, Abstract No. 11 and the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and being generally located south of Interstate Highway 30 (IH-30) and east of Shoreline Drive, and take any action necessary.
2. Discuss and consider Park Board recommendation regarding repairs at Harry Myers Pool, and take any action necessary.

3. Discuss and consider the Hotel tax subcommittee recommendations for funding allocations in fiscal year 2014, including authorizing the City Manager to execute associated funding agreements, and take any action necessary.
4. Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2014 and amended budget for fiscal year 2013, and take any action necessary.
5. Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2014 and amended budget for fiscal year 2013, and take any action necessary.
6. Discuss and consider appointments to the city's Historic Preservation Advisory Board, Park Board, and Youth Advisory Council, and take any action necessary.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding potential acceptance of a parkland dedication gift near Raymond Cameron Lake from the Caruth Lakes Homeowners Association (HOA) pursuant to Section § 551.071 (Consultation with Attorney) and Section § 551.072 (Real Property).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)
3. Discussion regarding appointments to the Economic Development Corporation, including a Rockwall County liaison, pursuant to § 551.071 (Consultation with Attorney) and § 551.074 (Personnel Matters).

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 13th day of September, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary

AGENDA
ROCKWALL CITY COUNCIL
Monday, October 07, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. (4:00 PM) WORK SESSION

HOLD WORK SESSION TO HEAR AND DISCUSS THE FOLLOWING:

1. Staff update regarding the city's youth baseball and softball initiative.
2. The development of FM-3097 from FM-740 to Tubbs Road, specifically regarding the median opening, dedicated bicycle lanes vs. shared bicycle lanes and the Local Project Advanced Funding Agreement.
3. Staff update regarding the status of the Downtown Improvements Project.

III. (5:00 PM) EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, and Rockwall Economic Development Corporation pursuant to Section §551.074 (personnel matters)
2. Discussion regarding land acquisition in the downtown area for municipal purposes pursuant to Section §551.072 (deliberations about real property).
3. Discussion regarding developer proposed changes to Harbor Heights contract pursuant to Section § 551.071 (Consultation with Attorney).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, October 07, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER PRUITT

VIII. PROCLAMATIONS / AWARDS

1. Breast Cancer Awareness Month

IX. OPEN FORUM

X. CONSENT AGENDA

1. Consider approval of the minutes from the September 16, 2013 regular city council meeting, and take any action necessary.
2. Consider approval of a request by AT&T to co-locate on an existing monopole communications tower located at 2215 North Lakeshore Drive (Squabble Creek Treatment Facility), authorizing the City Manager to execute an agreement and take any action necessary.
3. Consider authorizing the City Manager to engage Rutledge, Crain & Company PC to conduct the City's audit for the fiscal year ended September 30, 2013 and take any action necessary.
4. Consider a recommendation from the Atmos Cities Steering Committee regarding adoption of an **ordinance** approving a negotiated resolution between the ACSC and Atmos Energy Corporation, Mid-Tex Division, adopting new tariffs and take any action necessary. **(1st reading)**
5. Consider authorizing the City Manager to execute contracts with Tyco Integrated Security for installation of new security camera systems at city facilities in the amount of \$173,464.00 to be paid from the Internal Operations Department operating budget and take any action necessary.
6. **Z2013-019** - Consider approval of an **ordinance** for a request by John Spiars with Spiars Engineering, Inc. on behalf of NESBO, LP for the approval of a Specific Use Permit (SUP) to allow for a new car dealership on a 1.06-acre tract of land identified as Tract 12 of the John Lockhart Survey, Abstract No. 134 and a 10.51-acre parcel of land identified as Lot 1, Block A of the Lafon Addition, being a total 11.568-acres, zoned Commercial (C) District and Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located east of John King Boulevard and IH-30, and take any action necessary. **(2nd Reading)**

7. Consider approval of an **ordinance** amending Chapter 38. Subdivisions, Article I. In General, Section 38-23. Standards for Design of Development Within Subdivisions Adopted to amend the City of Rockwall's Supplemental Special Provisions to the Standard Specifications for Public Works Construction, North Central Texas, 3rd Edition, and take any action necessary. **(2nd reading)**
8. Consider approval of a contract with Oncor Electric Delivery Company to install eleven street lights on John King Boulevard from IH 30 to SH 276 in the amount of \$30,684.36 to be funded out of 2005 bond funds, and take any action necessary.
9. Consider awarding the bid for the Trenchless Sewer Rehabilitation Project to Excel 4 Construction to pipe burst existing sanitary sewer lines in various locations of the City in the amount of \$303,710.00 to be funded out of 2008 revenue bonds, and take any action necessary.
10. Consider approval of a contract with Rockwall County Committee on Aging for certain nutritional and senior service programs in the amount of \$30,000.00 to be funded from the Administration Department operating budget and take any action necessary.
11. Consider approval of a contract with Birkhoff, Hendricks and Carter LLP to perform the water/wastewater impact fee update and to update the Master Water/Wastewater Plans in an amount not to exceed \$111,000.00 to be funded out of 2008 revenue bonds, and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with Mr. Arjun Demla to discuss and consider a request related to reduction or waiver of rental fees for The Harbor Amphitheater for a wedding to be held on April 19, 2014, and take any action necessary.

XII. PUBLIC HEARING ITEMS

1. **Z2013-023** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Robert Church and Toni Waldrop for the approval of a change in zoning from Single-Family 7 (SF-7) District to a Residential/Office (RO) District for two (2) properties being a total of 0.294-acres situated within Blocks 32C (0.114-acres) & 32D (0.18-acres) of the B. F. Boydston Addition, City of Rockwall, County of Rockwall, Texas, located at 304 & 306 Williams Street, and within the Historic Overlay (HO) District, and take any action necessary. **(1st Reading)**
(Requires a ¾ majority vote)

2. **Z2013-020** - Continue a public hearing to discuss and consider approval of an **ordinance** for a request by James Brinkley for the approval of a change in zoning from an Agricultural (Ag) District to a Single-Family Estate 2.0 (SFE-2.0) District on a 2.0-acre tract of land identified as Tract 8-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas being located at 5866 S. FM-549 and take any action necessary. **(1st Reading)**
3. **Z2013-021** - Continue a public hearing to discuss and consider approval of an **ordinance** for a request by James Brinkley for the approval of a Specific Use Permit (SUP) to allow for an accessory building that does not conform to the exterior material requirements as specified for a property zoned for Single-Family Estate 2.0 (SFE-2.0) District uses by the Unified Development Code, being a 2.0-acre tract of land identified as Tract 8-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located at 5866 S. FM-549 and take any action necessary. **(1st Reading)**

XIII. ACTION ITEMS

1. Discuss and consider a request from Mr. Jeffrey Waller with Emerald Homes for a front yard fence located at 709 Rosewood, and take any action necessary.
2. **Z2013-018** - Discuss and consider approval of an **ordinance** for a request by Shea Kirkman on behalf of CADG Rockwall 41, LLC for the approval of a change in zoning from Planned Development District 10 (PD-10) to a General Retail (GR) District for a 3.816-acre tract of land situated within the Joseph Cadle Survey, Abstract No. 65 and the F. Henderson Survey, Abstract No. 119, City of Rockwall, Rockwall County, Texas, situated within the SH-276 Overlay (SH-276 OV) District, located at the northeast corner of the intersection of T. L. Townsend Drive and SH-276, and take any action necessary. **(1st Reading) (Requires a $\frac{3}{4}$ majority vote)**
3. Discuss and consider various design/construction improvements for the FM 3097 (FM 740 to Tubbs Road) Paving and Drainage Improvements Project, and take any action necessary.
4. Consider approval of the Local Project Advanced Funding Agreement with the Texas Department of Transportation for the construction of FM 3097 from FM 740 to Tubbs Road.
5. Discuss and consider approval of an interlocal agreement between the City of Rockwall and Rockwall County for Fire Protection Services, and take any action necessary.
6. Discuss and consider an appointment to the city's Park Board, and take any action necessary.

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - August 2013
Fire Department Monthly Reports - August 2013
Harbor PD Monthly Report- August 2013
Internal Operations Monthly Report - August 2013
Police Department Monthly Report - August 2013
Recreation Monthly Report - August 2013
Rockwall Animal Adoption Center (RAAC) Monthly Report - August 2013
2. City Manager's Report

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, and Rockwall Economic Development Corporation pursuant to Section §551.074 (personnel matters)
2. Discussion regarding land acquisition in the downtown area for municipal purposes pursuant to Section §551.072 (deliberations about real property).
3. Discussion regarding developer proposed changes to Harbor Heights contract pursuant to Section § 551.071 (Consultation with Attorney).

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 4th day of October, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary

AGENDA
ROCKWALL CITY COUNCIL
Monday, October 21, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

1. **HOLD A WORKSESSION TO HEAR STAFF UPDATE REGARDING DREDGING OPTIONS WITHIN THE TAKELINE AND TAKELINE INTERLOCAL AGREEMENT MODIFICATIONS, AND TAKE ANY ACTION NECESSARY.**

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding possible amendment to the Collin County Humane Society (CCHS) contract pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District pursuant to Section §551.074 (personnel matters)
3. Discussion regarding land acquisition in the vicinity of John King Boulevard for municipal purposes pursuant to Section §551.072 (deliberations about real property).
4. Discussion regarding land acquisition in the downtown area for municipal purposes pursuant to Section §551.072 (deliberations about real property).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, October 21, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM WHITE

VIII. PROCLAMATIONS / AWARDS

1. Fire Prevention Month
2. Red Ribbon Week

IX. CONSENT AGENDA

1. Consider approval of the minutes from the October 7, 2013 regular city council meeting, and take any action necessary.
2. Consider authorizing the city manager to execute a purchase order to Bellingham Marine for the purchase of lumber for Harbor Boat Dock repairs in the amount of \$49,052 to be funded with General Fund Reserves, and take any action necessary.
3. Consider authorizing the city manager to execute a contract with Reynolds Asphalt & Construction Company to reconstruct various asphaltic roadways within the City in an amount not to exceed \$400,000 utilizing the Interlocal Agreement with the City of Grand Prairie and being funded through the Streets Department Operations budget, and take any action necessary.
4. Consider approval of a resolution authorizing the city manager to execute a Local Project Advanced Funding Agreement with the Texas Department of Transportation for construction of FM 3097 from FM 740 to Tubbs Road in the amount of \$900,000 to be funded through street assessments, and take any action necessary.
5. Consider authorizing the city manager to execute an agreement with APA for the 2014 Founders Day Festival headline entertainment in the amount of \$35,000 to be funded out of hotel/motel occupancy tax funding, and take any action necessary.
6. Consider authorizing the city manager to execute a purchase order to Caldwell Country Chevrolet for the purchase of 2 Tahoes for Fire Inspectors in the amount of \$70,778 to be funded with General Fund Reserves, and take any action necessary.
7. Consider authorizing the city manager to execute a contract with Mulliken Construction for the addition of bedrooms at Fire Station 2 in the amount of \$128,703 to be funded out of the Fire Equipment Fund, and take any action necessary.

8. Consider authorizing the city manager to execute a maintenance agreement with Securadyne for annual maintenance of the city facility access control system in the amount of \$40,825.00, with a portion to be paid from the Internal Operations Department operating budget and a portion from the Water Department operating budget, and take any action necessary.
9. **Z2013-020** - Consider approval of an **ordinance** for a request by James Brinkley for the approval of a change in zoning from an Agricultural (Ag) District to a Single-Family Estate 2.0 (SFE-2.0) District on a 2.0-acre tract of land identified as Tract 8-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas being located at 5866 S. FM-549 and take any action necessary. **(2nd Reading)**
10. **Z2013-021** - Consider approval of an **ordinance** for a request by James Brinkley for the approval of a Specific Use Permit (SUP) to allow for an accessory building that does not conform to the exterior material requirements as specified for a property zoned for Single-Family Estate 2.0 (SFE-2.0) District uses by the Unified Development Code, being a 2.0-acre tract of land identified as Tract 8-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located at 5866 S. FM-549 and take any action necessary. **(2nd Reading)**
11. **P2013-029** - Consider a request by Ron Ramirez, PE with Wier & Associates, Inc. on behalf of the Rockwall Economic Development Corporation (REDC) for the approval of a final plat for a 6.112-acre tract of land located within the John H. B. Jones Survey, Abstract No. 125 and the Robert Boyd Irving Survey, Abstract No. 120, Rockwall, Rockwall County, Texas for the purpose of dedicating right-of-way; the subject property is zoned Light Industrial (LI) and Commercial (C) District and is generally located east of Corporate Crossing and south of Interstate Highway 30 (IH-30), and take any action necessary.
12. **P2013-030** - Consider a request by Danny & Nancy Turner for the approval of an amending plat creating Lots 1-4, Block M, Lake Rockwall Estates West, 2nd Filing being a 1.47-acre parcel of land currently identified as Lots 163-173, Block A, Rockwall Lake Development No. 1 Lake Echo, Rockwall, Rockwall County, Texas, the subject property is zoned Planned Development District 75 (PD-75), is generally located north of County Line Road and northeast of FM-3097, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with Rob Dixon of Hill & Wilkinson, General Contractors, and Michael Black with la terra studio, to hear and discuss a progress update of the Downtown Improvements Project, including the engineering and construction plans status and the proposed schedule for phase one

construction and an update on the construction sequencing plan for phase two, and take any action necessary.

3. Appointment with representative(s) of Lifetime Fitness to hear report on Lifetime Fitness Dallas Triathlon held on October 6, 2013 in Rockwall, and take any action necessary.

XI. PUBLIC HEARING ITEMS

1. **Z2013-024** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Todd Wintters of Engineering Concepts & Designs, L.P. on behalf of the Lakeside Church of Christ of Rockwall and Altura Homes for the approval of a zoning change for a 28.94-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas from an Agricultural (Ag) District to a Planned Development District for Single Family 10 (SF-10) District uses. The subject property is zoned Agricultural (Ag) District and located on the north side of Airport Road, west of the intersection of Airport Road and FM3549. **(1st Reading)**
(Requires a ¾ majority vote)
2. **Z2013-025** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Stephan Ewing on behalf of the owner, Dallas East Partnership, for the approval of an amendment to Specific Use Permit No. 109 (S-109) to allow the rental of one (1) full size pick-up truck and one (1) full size van as an accessory use to the existing mini-warehouse facility located on a 6.06-acre parcel of land identified as Lot 1, Block C, Rockwall Business Park East, City of Rockwall, Rockwall County, Texas, located at 1280 E. Ralph Hall Parkway, and take any action necessary. **(1st Reading)**
3. **Z2013-026** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by John P. Allender with Architexas on behalf of the owner Greener City Groups, Inc. for the approval of a zoning change to amend the residential standards for a 4.96-acre portion of Planned Development District 9 (PD-9) being identified as Tracts 4-13 & 4-14 of the Edward Teal Survey, Abstract 207, City of Rockwall, Rockwall County, Texas, located east of the intersection of Ridge Road [FM-740] and Shady Dale Lane, and take any action necessary. **(1st Reading)**
4. **Z2013-027** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Heritage Christian Academy for approval of a Specific Use Permit (SUP) to allow for "Private School Temporary Education Buildings" within the (MF-14) Multi-Family Residential district on Lot 1, Block A, Heritage Christian Academy Addition, being 6.64-acres and located at 1408 South Goliad, and take any action necessary. **(1st Reading)**
5. **MIS2013-001** – Hold a public hearing to discuss and consider approval of a resolution approving updated impact fees for roadway facilities by updating the land use assumptions and capital improvement plans for such facilities, establishing updated service areas for such facilities, providing definitions, providing for collection and assessment, and take any action necessary.

XII. ACTION ITEMS

1. Z2013-018 - Discuss and consider approval of an ordinance for a request by Shea Kirkman on behalf of CADG Rockwall 41, LLC for the approval of a change in zoning from Planned Development District 10 (PD-10) to a General Retail (GR) District for a 3.816-acre tract of land situated within the Joseph Cadle Survey, Abstract No. 65 and the F. Henderson Survey, Abstract No. 119, City of Rockwall, Rockwall County, Texas, situated within the SH-276 Overlay (SH-276 OV) District, located at the northeast corner of the intersection of T. L. Townsend Drive and SH-276, and take any action necessary. **(2nd Reading) (Requires a ¾ majority vote)**
2. Discuss and consider a request from Jeff Schmitt for approval of a front yard fence to be located at 1408 Willow Lane, and take any action necessary.
3. Discuss and consider a request from Tom Lewis with Walton Signs representing Luby's and Fuddrucker's for a height and size variance for a pole sign located at 2235 S. Goliad, and take any action necessary.
4. **MIS2013-006** – Discuss and consider approval of an **ordinance** for a city initiated amendment to Chapter 38, Sections 38-360 through 38-368, Subdivision Regulations of the Code of Ordinances of the City of Rockwall, Texas, concerning updated impact fees for roadway facilities by updating the land use assumptions and capital improvement plans for such facilities, establishing updated service areas for such facilities, providing definitions, providing for collection and assessment, and take any action necessary. **(1st Reading)**
5. Discuss and consider a recommendation from the Atmos Cities Steering Committee regarding adoption of an **ordinance** approving a negotiated resolution between the ACSC and Atmos Energy Corporation, Mid-Tex Division, adopting new tariffs and take any action necessary. **(1st reading)**

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding possible amendment to the Collin County Humane Society (CCHS) contract pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District pursuant to Section §551.074 (personnel matters)
3. Discussion regarding land acquisition in the vicinity of John King Boulevard for municipal purposes pursuant to Section §551.072 (deliberations about real property).
4. Discussion regarding land acquisition in the downtown area for municipal purposes pursuant to Section §551.072 (deliberations about real property).

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 18th day of October, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary

AGENDA
ROCKWALL CITY COUNCIL
Monday, November 04, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION (4:00 P.M.)

1. Hold work session to hear staff update regarding alternatives related to the pool at Harry Myers Park, and take any action necessary.
2. Hold work session to hear staff update regarding countywide joint dispatch, radio system and software, and take any action necessary.
3. Hold work session to hear staff update regarding dredging along the Lake Ray Hubbard Takeline area, and take any action necessary.

III. EXECUTIVE SESSION. (4:30 P.M.)

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District pursuant to Section §551.074 (personnel matters)
2. Discussion regarding the following legal claims pursuant to Section 551.071 (Consultation with Attorney): TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P.; Natalie Vidal and Roberto Garza Jr, individually and as next friend of E.G., a minor v. City of Rockwall, Texas
3. Discussion regarding potential claim for trademark violation pursuant to Tex. Gov't. Code, § 551.071 (Consultation with Attorney).
4. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)
5. Discussion regarding potential acceptance of a land dedication gift from Skorburg Company pursuant to Section § 551.071 (Consultation with Attorney) and Section § 551.072 (Real Property).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, November 04, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR SWEET

VIII. PROCLAMATIONS / AWARDS

1. American Diabetes Month

IX. OPEN FORUM

X. CONSENT AGENDA

1. Consider approval of the minutes from the October 21, 2013 regular city council meeting, and take any action necessary.
2. Consider approval of engineering design amendment #1 with Teague, Nall and Perkins, Inc. for the Central Water and Sewer Improvements Project in the amount of \$40,300 for performance of additional wastewater improvements design related to the Williams St. sewer (to be funded from 2008 revenue bonds), and take any action necessary.
3. **P2013-033** - Consider a request by Brian Corrigan for the approval of a final plat for Lot 1, Block A of the Corrigan Law Office Addition being a 0.31-acre tract of land situated within the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located on the east side of T. L. Townsend Drive north of IH-30, and take any action necessary.
4. **P2013-036** - Consider a request by T. Craig Carney of Carney Engineering, PLLC for the approval of a final plat for a 0.9218-acre portion of a larger tract of land identified as Tract 4-9 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9), situated within the Scenic Overlay (SOV) District, and located at the northeast corner of the intersection of Ridge Road and Summer Lee Drive, and take any action necessary.
5. **Z2013-025** - Consider approval of an **ordinance** for a request by Stephan Ewing on behalf of the owner, Dallas East Partnership, for the approval of an amendment to Specific Use Permit No. 109 (S-109) to allow the rental of one (1) full size pick-up truck and one (1) full size van as an accessory use to the existing mini-warehouse facility located on a 6.06-acre parcel of land identified as Lot 1, Block C, Rockwall Business Park East, City of Rockwall, Rockwall County, Texas, located at 1280 E. Ralph Hall Parkway, and take any action necessary. **(2nd Reading)**

6. **MIS2013-006** – Consider approval of an **ordinance** for a city initiated amendment to Chapter 38, Sections 38-360 through 38-368, Subdivision Regulations of the Code of Ordinances of the City of Rockwall, Texas, concerning updated impact fees for roadway facilities by updating the land use assumptions and capital improvement plans for such facilities, establishing updated service areas for such facilities, providing definitions, providing for collection and assessment, and take any action necessary. **(2nd Reading)**

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with Jas Kalsi and Ricky Bolton to discuss and consider authorizing the city manager to enter into a concessionaire agreement for a Fly Boarding business operating from The Harbor boat docks, and take any action necessary.
3. Appointment with Mike O'Boyle to discuss and consider authorizing the city manager to enter into a concessionaire agreement for a Fly Boarding business operating from The Harbor boat docks, and take any action necessary.

XII. ACTION ITEMS

1. **Z2013-026** - Discuss and consider approval of an **ordinance** for a request by John P. Allender with Architexas on behalf of the owner Greener City Groups, Inc. for the approval of a zoning change to amend the residential standards for a 4.96-acre portion of Planned Development District 9 (PD-9) being identified as Tracts 4-13 & 4-14 of the Edward Teal Survey, Abstract 207, City of Rockwall, Rockwall County, Texas, located east of the intersection of Ridge Road [FM-740] and Shady Dale Lane, and take any action necessary. **(2nd Reading)**
2. **Z2013-027** - Discuss and consider approval of an **ordinance** for a request by Heritage Christian Academy for approval of a Specific Use Permit (SUP) to allow for "Private School Temporary Education Buildings" within the (MF-14) Multi-Family Residential district on Lot 1, Block A, Heritage Christian Academy Addition, being 6.64-acres and located at 1408 South Goliad, and take any action necessary. **(2nd Reading)**
3. Discuss and consider a request from Mr. Lee McMillian for approval of a front yard fence to be located at 13 Crestview Circle and take any action necessary.
4. **MIS2013-007** - Discuss and consider a request by Rich Houston on behalf of R. Fifty Green Homes, LLC for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code, for a 2.055-acre tract of land situated within the Rueben Ballard Survey, Abstract No. 29, Rockwall, Rockwall County, Texas; zoned Single Family 7 (SF-7) District, located directly west of the intersection of SH-66 (Williams Street) and Caruth Lane, and take any action necessary.
5. Discuss and consider Art in Public Places, and take any action necessary.

6. Discuss and consider recommendation of the North TX Municipal Water District board of directors concerning modifications to Stage 3 Water Conservation measures, and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
 - Building Inspections Department Monthly Report - September
 - Fire Department Monthly Reports - September 2013
 - Harbor PD Monthly Report - September 2013
 - Internal Operations Department Monthly Report - September 2013
 - Police Department Monthly Report - September 2013
 - Recreation Monthly Report - September 2013
 - Rockwall Animal Adoption Center (RAAC) Monthly Report - September 2013
 - Rockwall County Committee on Aging (RCCOA) Quarterly Report
2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District pursuant to Section §551.074 (personnel matters)
2. Discussion regarding the following legal claims pursuant to Section 551.071 (Consultation with Attorney): TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P.; Natalie Vidal and Roberto Garza Jr, individually and as next friend of E.G., a minor v. City of Rockwall, Texas
3. Discussion regarding potential claim for trademark violation pursuant to Tex. Gov't. Code, § 551.071 (Consultation with Attorney).
4. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)
5. Discussion regarding potential acceptance of a land dedication gift from Skorburg Company pursuant to Section § 551.071 (Consultation with Attorney) and Section § 551.072 (Real Property).

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 1st day of November, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary

AGENDA
ROCKWALL CITY COUNCIL
Monday, November 18, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding securing legal representation from Carrington, Coleman, Sloman & Blumenthal, L.L.P. pertaining to TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Tex. Gov't. Code, § 551.071 (Consultation with Attorney).
3. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District pursuant to Section §551.074 (personnel matters)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, November 18, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER

VII. PROCLAMATIONS / AWARDS

1. Texas Amateur Athletic Federation (TAAF) Presidents Award

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the November 4, 2013 regular city council meeting, and take any action necessary.
2. Consider approval of an **ordinance** allowing various sanitary sewer materials to be included in the City's Standards of Design and Construction Manual and the North Central Texas Council of Governments Standard Specifications for Public Works Construction (3rd Edition), and take any action necessary. **(1st reading)**
3. Consider approval of a request by AT&T Wireless for a new monopole cellular communications tower to be located at 1310 E. Interstate 30 (East Side Water Yard), authorizing the City Manager to execute an agreement and take any action necessary.
4. **P2013-037** - Consider a request by the Skorburg Company on behalf of Life Spring Church for the approval of a final plat for a 0.402-acre tract of land located within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas for the purpose of dedicating right-of-way; the subject property is zoned Agricultural (Ag) District, is generally located north of John King Boulevard and east of SH-205, and take any action necessary.
5. **P2013-038** - Consider a request by Marshall Gage, LLC on behalf of Ridge Road Properties, LLC for the approval of a replat for Lots 23 & 24, Block A, Horizon Ridge Addition being a 1.021-acre parcel of land currently identified as Lot 13R, Block A, Horizon Ridge Addition, City of Rockwall, Rockwall County, Texas; zoned Planned Development District 9 (PD-9), situated within the Scenic Overlay (SOV) District, generally located south of IH-30 on the east side of FM-740 (Ridge Road), and take any action necessary.

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with representatives of the 2013-2014 Leadership Rockwall Class to discuss and consider a project proposal to construct a butterfly garden located within a City of Rockwall public park and take any action necessary.

X. PUBLIC HEARING ITEMS

1. **Z2013-028** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Rockwall Gold & Silver on behalf of Donna Pritchard for the approval of a Specific Use Permit for a pawn shop on a portion of a 0.423-acre parcel of land, zoned Commercial (C) District and located within the SH 205 Overlay (SH 205 OV) District, identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, specifically Suite 1 of 1901 S. Goliad Street, and take any action necessary. **(1st Reading)**
2. **Z2013-029** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Cameron Slown on behalf of Med-Tech Construction, Inc. for the approval of a Specific Use Permit for an assisted living facility on a 0.96-acre tract of land identified as Lots 2 & 5, Block 1 of the Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57), and located southeast of the corner of the intersection of H. Wallace Lane and Jeff Boyd Drive, and take any action necessary. **(1st Reading)**
3. **Z2013-030** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Jim Smylie on behalf of Bill Burns for the approval of a zoning change from Agricultural (Ag) District to a Commercial (C) District for a 9.77-acre tract of land identified as Lots 18 & 19 of Rainbow Acres, City of Rockwall, Rockwall County, Texas, located at the southeastern corner of the intersection of Ranch Trail Road and County Line Road, and take any action necessary. **(1st Reading)**
4. **P2013-031** - Hold a public hearing to discuss and consider a request by Fritz McKinstry for the approval of a replat creating Lot 23, Block E of Chandler's Landing, Phase 16 being currently identified as Lots 5R & 7R, Block E of Chandler's Landing, Phase 16, zoned Planned Development District 8 (PD-8), located at 257 & 265 Victory Lane, City of Rockwall, Texas, and take any action necessary.
5. Hold a public hearing to discuss and consider approval of a resolution setting increased water and wastewater rates and meter deposits and take any action necessary.
6. **Z2013-031 - (Postponed until December 10, 2013 Planning & Zoning Meeting)** Hold a public hearing to discuss and consider approval of an ordinance for a request by Shawn Valk on behalf of LGI Properties for the

approval of a Specific Use Permit to allow a mini-warehouse facility on a 5.94-acre tract of land, zoned Commercial (C) District and located within the Scenic Overlay (SOV) District, being a portion of a 9.699-acre tract land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas; located at the southwestern corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary.

XI. ACTION ITEMS

1. **MIS2013-008** - Discuss and consider a request for the approval of a special request for the purpose of permitting the construction of a carport that does not conform to the setback and material requirements as stipulated by Section 2.1.2(1) [Carports] of Article IV, Permissible Uses, of the Unified Development Code, for a 0.17-acre property that is identified as Lot 1166 of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is generally located at 406 Wayne Drive, and take any action necessary.
2. **P2013-032** - Discuss and consider a request by Rich Houston on behalf of R. Fifty Green Homes, LLC for the approval of a preliminary plat for Rockwall Solar Village, containing six (6) single family lots on a 2.055-acre tract of land situated within the Rueben Ballard Survey, Abstract No. 29, Rockwall, Rockwall County, Texas; zoned Single Family 7 (SF-7) District, located directly west of the intersection of SH-66 (Williams Street) and Caruth Lane, and take any action necessary.
3. **P2013-034** - Discuss and consider a request by Corwin Engineering, Inc. on behalf of the Cambridge Company, Inc. for the approval of a master plat of Phases 1, 2 & 3 of the Rockwall Downs Subdivision, containing 86 single family lots on a 35.651-acre tract of land situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas; zoned Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action necessary.
4. **P2013-035** - Discuss and consider a request by Corwin Engineering, Inc. on behalf of the Cambridge Company, Inc. for the approval of a preliminary plat for Phases 1, 2 & 3 of the Rockwall Downs Subdivision, containing 86 single family lots on a 35.651-acre tract of land situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas; zoned Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action necessary.
5. Discuss and consider re-adoption of an **ordinance** continuing a curfew for minors under seventeen years of age, and take any action necessary.
(1st reading)

6. Hear update from the City Council Airport Subcommittee regarding the status of the work of the Airport Advisory Committee and take any action necessary.
7. Discuss and consider approval of a resolution authorizing the Mayor of the City of Rockwall to order that the City of Rockwall municipal flag be flown at half staff at city facilities in certain circumstances, and take any action necessary.
8. Discuss and consider follow up regarding Neighborhood Improvement Services property maintenance concern, and take any action necessary.
9. Discuss and consider approval of the Texas Task Force Urban Search and Rescue Agreement between the City of Dallas and City of Rockwall, authorizing the Mayor and City Attorney to execute the agreement on the city's behalf, and take any action necessary.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding securing legal representation from Carrington, Coleman, Sloman & Blumenthal, L.L.P. pertaining to TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Tex. Gov't. Code, § 551.071 (Consultation with Attorney).
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XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

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I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 15th day of November, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary

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Consider approval of an ordinance allowing various sanitary sewer materials to be included in the City's Standards of Design and Construction Manual and the North Central Texas Council of Governments Standard Specifications for Public Works Construction (3rd Edition), and take any action necessary. (1st reading)	
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Consider approval of a request by AT&T Wireless for a new monopole cellular communications tower to be located at 1310 E. Interstate 30 (East Side Water Yard), authorizing the City Manager to execute an agreement and take any action necessary.	
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Staff Report	108
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Staff Report	126
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Hold a public hearing to discuss and consider approval of a resolution setting increased water and wastewater rates and meter deposits and take any action necessary.

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Z2013-031 - (Postponed until December 10, 2013 Planning & Zoning Meeting) Hold a public hearing to discuss and consider approval of an ordinance for a request by Shawn Valk on behalf of LGI Properties for the approval of a Specific Use Permit to allow a mini-warehouse facility on a 5.94-acre tract of land, zoned Commercial (C) District and located within the Scenic Overlay (SOV) District, being a portion of a 9.699-acre tract land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas; located at the southwestern corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary.

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Discuss and consider re-adoption of an ordinance continuing a curfew for minors under seventeen years of age, and take any action necessary. (1st reading)

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Hear update from the City Council Airport Subcommittee regarding the status of the work of the Airport Advisory Committee and take any action necessary.

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Discuss and consider approval of a resolution authorizing the Mayor of the City of Rockwall to order that the City of Rockwall municipal flag be flown at half staff at city facilities in certain circumstances, and take any action necessary.

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Discuss and consider follow up regarding Neighborhood Improvement Services property maintenance concern, and take any action necessary.

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Discuss and consider approval of the Texas Task Force Urban Search and Rescue Agreement between the City of Dallas and City of Rockwall, authorizing the Mayor and City Attorney to execute the agreement on the city's behalf, and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, November 18, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

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ROCKWALL CITY COUNCIL
Monday, November 18, 2013
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City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER

VII. PROCLAMATIONS / AWARDS

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VIII. CONSENT AGENDA

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- p.88 2. Appointment with representatives of the 2013-2014 Leadership Rockwall Class to discuss and consider a project proposal to construct a butterfly garden located within a City of Rockwall public park and take any action necessary.

X. PUBLIC HEARING ITEMS

- p.90 1. **Z2013-028** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Rockwall Gold & Silver on behalf of Donna Pritchard for the approval of a Specific Use Permit for a pawn shop on a portion of a 0.423-acre parcel of land, zoned Commercial (C) District and located within the SH 205 Overlay (SH 205 OV) District, identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, specifically Suite 1 of 1901 S. Goliad Street, and take any action necessary. **(1st Reading)**
- p.108 2. **Z2013-029** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Cameron Slown on behalf of Med-Tech Construction, Inc. for the approval of a Specific Use Permit for an assisted living facility on a 0.96-acre tract of land identified as Lots 2 & 5, Block 1 of the Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57), and located southeast of the corner of the intersection of H. Wallace Lane and Jeff Boyd Drive, and take any action necessary. **(1st Reading)**
- p.126 3. **Z2013-030** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Jim Smylie on behalf of Bill Burns for the approval of a zoning change from Agricultural (Ag) District to a Commercial (C) District for a 9.77-acre tract of land identified as Lots 18 & 19 of Rainbow Acres, City of Rockwall, Rockwall County, Texas, located at the southeastern corner of the intersection of Ranch Trail Road and County Line Road, and take any action necessary. **(1st Reading)**
- p.142 4. **P2013-031** - Hold a public hearing to discuss and consider a request by Fritz McKinstry for the approval of a replat creating Lot 23, Block E of Chandler's Landing, Phase 16 being currently identified as Lots 5R & 7R, Block E of Chandler's Landing, Phase 16, zoned Planned Development District 8 (PD-8), located at 257 & 265 Victory Lane, City of Rockwall, Texas, and take any action necessary.
- p.150 5. Hold a public hearing to discuss and consider approval of a resolution setting increased water and wastewater rates and meter deposits and take any action necessary.
- p.155 6. **Z2013-031 - (Postponed until December 10, 2013 Planning & Zoning Meeting)** Hold a public hearing to discuss and consider approval of an ordinance for a request by Shawn Valk on behalf of LGI Properties for the

approval of a Specific Use Permit to allow a mini-warehouse facility on a 5.94-acre tract of land, zoned Commercial (C) District and located within the Scenic Overlay (SOV) District, being a portion of a 9.699-acre tract land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas; located at the southwestern corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary.

XI. ACTION ITEMS

- p.158 1. **MIS2013-008** - Discuss and consider a request for the approval of a special request for the purpose of permitting the construction of a carport that does not conform to the setback and material requirements as stipulated by Section 2.1.2(1) [Carports] of Article IV, Permissible Uses, of the Unified Development Code, for a 0.17-acre property that is identified as Lot 1166 of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is generally located at 406 Wayne Drive, and take any action necessary.
- p.174 2. **P2013-032** - Discuss and consider a request by Rich Houston on behalf of R. Fifty Green Homes, LLC for the approval of a preliminary plat for Rockwall Solar Village, containing six (6) single family lots on a 2.055-acre tract of land situated within the Rueben Ballard Survey, Abstract No. 29, Rockwall, Rockwall County, Texas; zoned Single Family 7 (SF-7) District, located directly west of the intersection of SH-66 (Williams Street) and Caruth Lane, and take any action necessary.
- p.186 3. **P2013-034** - Discuss and consider a request by Corwin Engineering, Inc. on behalf of the Cambridge Company, Inc. for the approval of a master plat of Phases 1, 2 & 3 of the Rockwall Downs Subdivision, containing 86 single family lots on a 35.651-acre tract of land situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas; zoned Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action necessary.
- p.202 4. **P2013-035** - Discuss and consider a request by Corwin Engineering, Inc. on behalf of the Cambridge Company, Inc. for the approval of a preliminary plat for Phases 1, 2 & 3 of the Rockwall Downs Subdivision, containing 86 single family lots on a 35.651-acre tract of land situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas; zoned Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action necessary.
- p.212 5. Discuss and consider re-adoption of an **ordinance** continuing a curfew for minors under seventeen years of age, and take any action necessary. **(1st reading)**

- p.216 6. Hear update from the City Council Airport Subcommittee regarding the status of the work of the Airport Advisory Committee and take any action necessary.
- p.218 7. Discuss and consider approval of a resolution authorizing the Mayor of the City of Rockwall to order that the City of Rockwall municipal flag be flown at half staff at city facilities in certain circumstances, and take any action necessary.
- p.221 8. Discuss and consider follow up regarding Neighborhood Improvement Services property maintenance concern, and take any action necessary.
- p.225 9. Discuss and consider approval of the Texas Task Force Urban Search and Rescue Agreement between the City of Dallas and City of Rockwall, authorizing the Mayor and City Attorney to execute the agreement on the city's behalf, and take any action necessary.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding securing legal representation from Carrington, Coleman, Sloman & Blumenthal, L.L.P. pertaining to TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Tex. Gov't. Code, § 551.071 (Consultation with Attorney).
3. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District pursuant to Section §551.074 (personnel matters)

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 15th day of November, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary

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MINUTES
ROCKWALL CITY COUNCIL
Monday, November 04, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

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I. CALL PUBLIC MEETING TO ORDER

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Mayor Sweet called the public meeting to order at 4:02 p.m. Present were Mayor Sweet, Mayor Pro Tem David White and Councilmembers Jim Pruitt, Mike Townsend, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza. Councilmember Scott Milder was absent from the meeting.

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II. WORK SESSION (4:00 P.M.)

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1. Hold work session to hear staff update regarding alternatives related to the pool at Harry Myers Park, and take any action necessary.

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Mr. Brad Griggs, Assistant City Manager, came forth and briefed the council on a conceptual drawing regarding a potential alternative to a traditional swimming pool and/or spray ground at Harry Myers. Discussion took place regarding various options and associated costs. After the discussion, Mayor Sweet made a motion to move forward with authorizing staff to make the necessary repairs at the Harry Myers Pool and if there are other things that can be added to the pool for increased entertainment value, staff is asked to bring those back to council for consideration. Councilmember Daniels seconded the motion. After additional comments, the motion passed by a vote of 4 in favor, 2 against (White and Townsend) and 1 absent (Milder).

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2. Hold work session to hear staff update regarding countywide joint dispatch, radio system and software, and take any action necessary.

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Following a brief introduction by City Manager Rick Crowley, Chief Moeller and Frank Dunlop from the Rockwall Police Department came forth and made a presentation explaining the various dispatch, radio and software system needs of our police and fire department. Comparisons were made regarding various options, with staff indicating that discussions with Rockwall County and the other agencies in the county will be ongoing moving forward. After additional discussion, no action was taken by the council regarding this work session item.

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3. Hold work session to hear staff update regarding dredging along the Lake Ray Hubbard Takeline area, and take any action necessary.

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Andy Hesser, Parks and Recreation Manager, came forth and briefed the council on the options associated with dredging in the Takeline area of lake Ray Hubbard. After a lengthy briefing, Mr. Crowley offered clarifying comments, indicating that, due to what the City of Dallas is and is not willing to permit related to the dredging, the project has grown larger in scope than that which was originally discussed and preliminarily agreed upon by the city council two weeks ago. Mr. Hesser explained that any project scope that would extend out much further than the old road bed will not be a project conducive to city staff completing the work.

47 **After lengthy discussion, Councilmember Pruitt made a motion to authorize city staff to**
48 **pursue removing the old road bed at this time while also evaluating dredging options**
49 **and associated costs. Councilmember Townsend seconded the motion. After brief**
50 **discussion, the motion passed by a vote of 5 in favor, 1 against (White) and 1 absent**
51 **(Milder).**

52 **Following the work session, at 5:13 p.m. Mayor Sweet read the below listed discussion**
53 **items into the public record before recessing the public meeting into Executive Session.**
54

55 **III. EXECUTIVE SESSION. (4:30 P.M.)**
56

57 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**
58 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**
59 **CODE:**
60

- 61 1. Discussion regarding appointments to city regulatory boards, commissions,
62 and committees including the Rockwall Central Appraisal District pursuant to
63 Section §551.074 (personnel matters)
- 64 2. Discussion regarding the following legal claims pursuant to Section 551.071
65 (Consultation with Attorney): TF-Harbor LLC v. City of Rockwall, Texas and
66 Rockwall Rental Properties L.P.; Natalie Vidal and Roberto Garza Jr,
67 individually and as next friend of E.G., a minor v. City of Rockwall, Texas
- 68 3. Discussion regarding potential claim for trademark violation pursuant to Tex.
69 Gov't. Code, § 551.071 (Consultation with Attorney).
- 70 4. Discussion regarding the city's Fixed Based Operator airport agreement
71 pursuant to Section § 551.071 (Consultation with Attorney)
- 72 5. Discussion regarding potential acceptance of a land dedication gift from
73 Skorburg Company pursuant to Section § 551.071 (Consultation with
74 Attorney) and Section § 551.072 (Real Property).

75 **From the public agenda:**

- 76 2. Appointment with Jas Kalsi and Ricky Bolton to discuss and consider
77 authorizing the city manager to enter into a concessionaire agreement for a
78 Fly Boarding business operating from The Harbor boat docks, and take any
79 action necessary.
- 80 3. Appointment with Mike O'Boyle to discuss and consider authorizing the city
81 manager to enter into a concessionaire agreement for a Fly Boarding
82 business operating from The Harbor boat docks, and take any action
83 necessary.

84 **IV. ADJOURN EXECUTIVE SESSION**
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86 **City Council members adjourned out of Executive Session at 5:50 p.m.**
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MINUTES
ROCKWALL CITY COUNCIL
Monday, November 04, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all council members present except Councilmember Milder who was absent from the meeting.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem White indicated that there is no action to be taken at this time related to Executive Session discussion items.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR SWEET

Mayor Sweet delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. American Diabetes Month

A local resident and representative of the American Diabetes Association came forth and spoke a few words about diabetes and efforts that are underway to combat this disease. Mayor Sweet then read and presented the proclamation, declaring it American Diabetes Month in the City of Rockwall.

IX. OPEN FORUM

Mayor Sweet explained how Open Forum is conducted and then asked if anyone in the audience would like to come forth to address the City Council during this time.

Alice Bland
1410 S. Goliad Street, #1201 (Pebblebrook Apartments)
Rockwall, TX 75087

Ms. Bland indicated that the apartment complex in which she lives, Pebblebrook, is falling apart, and some of the disrepair is causing safety concerns, especially for elderly and older residents who live there. Mayor Sweet asked Mr. Crowley, City Manager, to look into this matter to follow up. He also suggested that Ms. Bland consider contacting Margie Verhagen with the local Meals on Wheels organization (Rockwall County Committee on Aging) to see what resources she may have to assist with Ms. Bland's concerns. Brief discussion took place regarding affordable housing for seniors in the community.

There being no one else to come forth and speak, Mayor Sweet then closed Open Forum.

139 X. CONSENT AGENDA

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1. Consider approval of the minutes from the October 21, 2013 regular city council meeting, and take any action necessary.

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2. Consider approval of engineering design amendment #1 with Teague, Nall and Perkins, Inc. for the Central Water and Sewer Improvements Project in the amount of \$40,300 for performance of additional wastewater improvements design related to the Williams St. sewer (to be funded from 2008 revenue bonds), and take any action necessary.

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3. **P2013-033** - Consider a request by Brian Corrigan for the approval of a final plat for Lot 1, Block A of the Corrigan Law Office Addition being a 0.31-acre tract of land situated within the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located on the east side of T. L. Townsend Drive north of IH-30, and take any action necessary.

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4. **P2013-036** - Consider a request by T. Craig Carney of Carney Engineering, PLLC for the approval of a final plat for a 0.9218-acre portion of a larger tract of land identified as Tract 4-9 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9), situated within the Scenic Overlay (SOV) District, and located at the northeast corner of the intersection of Ridge Road and Summer Lee Drive, and take any action necessary.

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5. **Z2013-025** - Consider approval of an **ordinance** for a request by Stephan Ewing on behalf of the owner, Dallas East Partnership, for the approval of an amendment to Specific Use Permit No. 109 (S-109) to allow the rental of one (1) full size pick-up truck and one (1) full size van as an accessory use to the existing mini-warehouse facility located on a 6.06-acre parcel of land identified as Lot 1, Block C, Rockwall Business Park East, City of Rockwall, Rockwall County, Texas, located at 1280 E. Ralph Hall Parkway, and take any action necessary. **(2nd Reading)**

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6. **MIS2013-006** – Consider approval of an **ordinance** for a city initiated amendment to Chapter 38, Sections 38-360 through 38-368, Subdivision Regulations of the Code of Ordinances of the City of Rockwall, Texas, concerning updated impact fees for roadway facilities by updating the land use assumptions and capital improvement plans for such facilities, establishing updated service areas for such facilities, providing definitions, providing for collection and assessment, and take any action necessary. **(2nd Reading)**

178 **Mayor Pro Tem White made a motion to approve the entire Consent Agenda (#s 1, 2, 3, 4,**
179 **5, and 6). Councilmember Townsend seconded the motion. The ordinances were read**
180 **as follows:**

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**CITY OF ROCKWALL
ORDINANCE NO. 13-42**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
ROCKWALL, AMENDING CHAPTER 38, SECTIONS 38-360
THROUGH 38-368 SUBDIVISION REGULATIONS, OF THE CODE OF
ORDINANCES OF THE CITY OF ROCKWALL, TEXAS, CONCERNING**

188 UPDATED IMPACT FEES FOR ROADWAY FACILITIES BY
189 UPDATING THE LAND USE ASSUMPTIONS AND CAPITAL
190 IMPROVEMENT PLANS FOR SUCH FACILITIES; ESTABLISHING
191 UPDATED SERVICE AREAS FOR SUCH FACILITIES; PROVIDING
192 DEFINITIONS; PROVIDING FOR COLLECTION AND ASSESSMENT
193 PROVIDING FOR SEVERABILITY; PROVIDING FOR REMEDIES;
194 PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE
195 DATE.

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198 CITY OF ROCKWALL
199 ORDINANCE NO. 13-41
200 SPECIFIC USE PERMIT NO. S-113
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202 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
203 ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT
204 CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY
205 AMENDED, SO AS TO AMEND SPECIFIC USE PERMIT (SUP) NO. S-
206 109 [ORDINANCE NO. 13-15] TO ALLOW FOR THE RENTAL OF ONE
207 (1) FULL SIZE PICK-UP TRUCK AND ONE (1) FULL SIZE VAN AS AN
208 ACCESSORY USE TO AN EXISTING MINI-WAREHOUSE FACILITY,
209 BEING A 6.06-ACRE PARCEL, AND LOCATED AT 1280 RALPH HALL
210 PARKWAY, AND ZONED COMMERCIAL (C) DISTRICT, AND
211 DESCRIBED AS LOT 1, BLOCK C OF THE ROCKWALL BUSINESS
212 PARK EAST ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY,
213 TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A
214 PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
215 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
216 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
217 PROVIDING FOR AN EFFECTIVE DATE.
218

219 The motion to approve the entire Consent Agenda passed by a vote of 6 eyes with 1
220 absent (Milder).
221

222 Following approval of the Consent Agenda, at 6:15 p.m., Mayor Sweet indicated that the
223 council would recess into Executive Session to discuss the following Appointment Items
224 listed on the public agenda pursuant to Texas Government Code § 551.071 (Consultation
225 with Attorney):
226

- 227 2. Appointment with Jas Kalsi and Ricky Bolton to discuss and
228 consider authorizing the city manager to enter into a concessionaire
229 agreement for a Fly Boarding business operating from The Harbor
230 boat docks, and take any action necessary.
- 231 3. Appointment with Mike O'Boyle to discuss and consider authorizing
232 the city manager to enter into a concessionaire agreement for a Fly
233 Boarding business operating from The Harbor boat docks, and take
234 any action necessary.

235 Following the council recess into Executive Session, Mayor Sweet called the public
236 meeting back to order at 6:30 p.m.
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240 **XI. APPOINTMENTS**

- 241
- 242 1. Appointment with the Planning and Zoning Chairman to discuss and
- 243 answer any questions regarding cases on the agenda and related issues
- 244 and take any action necessary.

245 **Planning & Zoning Chairman, Craig Renfro, came forth and briefed the council on**

246 **recommendations of the Commission relative to items on tonight’s public agenda. The**

247 **council took no action regarding this agenda item.**

- 248 2. Appointment with Jas Kalsi and Ricky Bolton to discuss and consider
- 249 authorizing the city manager to enter into a concessionaire agreement for
- 250 a Fly Boarding business operating from The Harbor boat docks, and take
- 251 any action necessary.

252 **Mr. Kalsi came forth and showed a portion of an informational (training) video related to**

253 **his fly boarding operation, which he explained currently operates at Lake Travis in**

254 **Austin. He indicated he would like the council to consider approving the same sort of fly**

255 **boarding operation in Rockwall at The Harbor at Lake Ray Hubbard.**

256 **Councilmember Pruitt asked what fixed location this company will operate out of in**

257 **order to have patrons fill out appropriate paperwork. Mr. Kalsi indicated that they are**

258 **considering leasing a 1,000 square foot office space at The Harbor because they will also**

259 **be selling the boards; however, he explained, they will be utilizing iPads containing**

260 **electronic paperwork and waivers, and signatures of patrons will be obtained**

261 **electronically in lieu of paper forms.**

262 **Councilmember Pruitt made a motion to approve the concessionaire agreement.**

263 **Councilmember Townsend seconded the motion, which passed by a vote of 6 ayes with**

264 **1 absent (Milder).**

- 265 3. Appointment with Mike O’Boyle to discuss and consider authorizing the
- 266 city manager to enter into a concessionaire agreement for a Fly Boarding
- 267 business operating from The Harbor boat docks, and take any action
- 268 necessary.

269 **Mr. O’Boyle came forth and offered brief details to the council regarding his proposed fly**

270 **boarding operation. He indicated that he will not be selling the fly boards; he will only be**

271 **renting them. Therefore, he will not be utilizing a fixed office space. He will have**

272 **electronic documents and electronic signatures on iPads for patrons to sign instead.**

273

274 **Councilmember Pruitt expressed concern regarding why and if the city should be**

275 **approving an agreement with this type of operation knowing that the company will be**

276 **asking for patrons to waive any and all safety related liabilities.**

277

278 **After brief discussion, Councilmember Pruitt made a motion to approve the**

279 **concessionaire agreement. Councilmember Townsend seconded the motion, which**

280 **passed by a vote of 6 ayes with 1 absent (Milder).**

281

282 **XII. ACTION ITEMS**

- 283
- 284 1. **Z2013-026** - Discuss and consider approval of an **ordinance** for a
- 285 request by John P. Allender with Architexas on behalf of the owner
- 286 Greener City Groups, Inc. for the approval of a zoning change to amend

287 the residential standards for a 4.96-acre portion of Planned Development
288 District 9 (PD-9) being identified as Tracts 4-13 & 4-14 of the Edward Teal
289 Survey, Abstract 207, City of Rockwall, Rockwall County, Texas, located
290 east of the intersection of Ridge Road [FM-740] and Shady Dale Lane,
291 and take any action necessary. **(2nd Reading)**

292 **Mayor Pro Tem White made a motion to approve Z2013-026. Councilmember Lewis**
293 **seconded the motion. The ordinance was read as follows:**

294 **CITY OF ROCKWALL**
295 **ORDINANCE NO. 13-43**

296
297 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF**
298 **ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT**
299 **CODE (ORD. 04-38) OF THE CITY OF ROCKWALL, TEXAS, AS**
300 **PREVIOUSLY AMENDED, SO AS TO AMEND (PD-9) PLANNED**
301 **DEVELOPMENT NO. 9 DISTRICT AND ORDINANCE 86-55, SO AS TO**
302 **AMEND THE RESIDENTIAL STANDARDS AND CHANGE THE ZONING**
303 **FROM (SF-22.5) SINGLE FAMILY RESIDENTIAL DISTRICT TO (SF-**
304 **12.5) SINGLE FAMILY RESIDENTIAL DISTRICT FOR A 4.96-ACRE**
305 **PORTION OF (PD-9) PLANNED DEVELOPMENT DISTRICT NO. 9, AND**
306 **BEING IDENTIFIED AS TRACTS 4-13 & 4-14, EDWARD TEAL**
307 **SURVEY, ABSTRACT 207 AND LOCATED EAST OF THE**
308 **INTERSECTION OF RIDGE ROAD AND SHADY DALE LANE, AND**
309 **MORE SPECIFICALLY SHOWN AS EXHIBIT "B" (BOUNDARY**
310 **SURVEY); PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR**
311 **A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO**
312 **THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING**
313 **FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER**
314 **CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**
315

316 **The motion to approve passed by a vote of 5 in favor, 1 against (Daniels) and 1 absent**
317 **(Milder).**

318 **2. Z2013-027 - Discuss and consider approval of an ordinance for a**
319 **request by Heritage Christian Academy for approval of a Specific Use**
320 **Permit (SUP) to allow for "Private School Temporary Education Buildings"**
321 **within the (MF-14) Multi-Family Residential district on Lot 1, Block A,**
322 **Heritage Christian Academy Addition, being 6.64-acres and located at**
323 **1408 South Goliad, and take any action necessary. (2nd Reading)**

324 **Councilmember Lewis made a motion to approve Z2013-027. Mayor Sweet seconded the**
325 **motion. Mayor Pro Tem White stated he disagrees with the time limit associated with the**
326 **SUP. The ordinance was read as follows:**

327 **CITY OF ROCKWALL**
328 **ORDINANCE NO. 13-44**
329 **SPECIFIC USE PERMIT NO. S-114**

330
331 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF**
332 **ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT**
333 **CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY**
334 **AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP)**
335 **ALLOWING FOR THREE (3) "PRIVATE SCHOOL TEMPORARY**
336 **EDUCATION BUILDINGS" WITHIN THE (MF-14) MULTI-FAMILY**
337 **RESIDENTIAL DISTRICT ON LOT 1, BLOCK A, HERITAGE CHRISTIAN**

338 ACADEMY ADDITION, LOCATED AT 1408 SOUTH GOLIAD;
339 PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A
340 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
341 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
342 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
343 PROVIDING FOR AN EFFECTIVE DATE.
344

345 **The motion passed by a vote of 5 ayes, 1 against (White) and 1 absent (Milder).**
346

- 347 3. Discuss and consider a request from Mr. Lee McMillian for approval of a
348 front yard fence to be located at 13 Crestview Circle and take any action
349 necessary.

350 **Building Official Jeffrey Widmer came forth and offered brief, introductory remarks,**
351 **explaining that Mr. McMillian would like to install a wrought iron, front yard fence.**
352 **Councilmember Pruitt asked why notifications are not sent to neighbors living within 200**
353 **feet related to approval of front yard fence requests. Mr. Widmer indicated that this sort**
354 **of request is addressed in the city's Code of Ordinances, and does not require a public**
355 **hearing to be held. Therefore, no notices are sent. If the council desires to change this**
356 **practice, the zoning ordinance would need to be amended to add such provisions.**
357

358 **Mr. McMillian came forth and indicated that the fence is mostly needed to protect fruit**
359 **trees and plants located in a certain area of his yard; however, he would like the fence to**
360 **run across the front of his house too for aesthetic reasons. After brief discussion,**
361 **Mayor Pro Tem White made a motion to approve the front yard fence as requested.**
362 **Mayor Sweet seconded the motion, which passed by a vote of 6 ayes with 1 absent**
363 **(Milder).**

- 364 4. **MIS2013-007** - Discuss and consider a request by Rich Houston on
365 behalf of R. Fifty Green Homes, LLC for the approval of an exception to
366 the minimum masonry requirements stipulated in Section 3.1, General
367 Residential District Standards, of Article V, District Development
368 Standards, of the Unified Development Code, for a 2.055-acre tract of
369 land situated within the Rueben Ballard Survey, Abstract No. 29,
370 Rockwall, Rockwall County, Texas; zoned Single Family 7 (SF-7) District,
371 located directly west of the intersection of SH-66 (Williams Street) and
372 Caruth Lane, and take any action necessary.

373 **Planning Director Robert LaCroix provided background information related to this**
374 **agenda item, explaining the various exceptions that this applicant is requesting for**
375 **council consideration. Mr. LaCroix explained that Planning & Zoning Commissioner**
376 **Nielsen was unclear about the construction method and wanted to get more information,**
377 **and that is why he voted against recommending approval of this item when it was before**
378 **the Planning & Zoning Commission.**

379 **After brief discussion, Mayor Pro Tem White made a motion to approve MIS2013-007.**
380 **Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1**
381 **absent (Milder).**

- 382 5. Discuss and consider Art in Public Places, and take any action
383 necessary.

384 **City Manager Rick Crowley provided brief comments related to this agenda item. Mayor**
385 **Pro Tem White made a motion to appoint Councilmember Milder as the council liaison to**

386 oversee recommendations regarding appointments to the city's Art Review Team.
387 Councilmember Townsend seconded the motion. After brief discussion, Mayor Pro Tem
388 White amended his motion to add Mayor Sweet as both a member of the Art Review
389 Team and as a co-liaison for appointment recommendations for this board.
390 Councilmember Townsend seconded the amended motion, which passed by a vote of 6
391 in favor with 1 absent (Milder).

392
393 6. Discuss and consider recommendation of the North TX Municipal Water
394 District board of directors concerning modifications to Stage 3 Water
395 Conservation measures, and take any action necessary.

396 **City Manager Rick Crowley provided introductory comments related to this agenda item.**
397 **Brief discussion took place regarding lost revenue to the city as a result of water**
398 **restrictions associated with water conservation. Comments were provided by Mr.**
399 **Crowley with respect to the new water line that is in process that will allow Lake Texoma**
400 **to be utilized as a water source. He indicated that zebra mussels still pose a challenge.**
401 **Brief discussion also took place related to potential, future, local water conservation**
402 **efforts in the City of Rockwall regarding voluntary compliance on the part of our**
403 **residents as opposed to local enforcement and associated criminal penalties.**

404 **Mayor Sweet made a motion to approve the recommendation of the NTMWD board**
405 **concerning modifications to Stage 3 Water Conservation measures. Councilmember**
406 **Pruitt seconded the motion, which passed by a vote of 6 ayes with 1 absent (Milder).**

407
408 **XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,**
409 **FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

410 1. Departmental Reports
411 Building Inspections Department Monthly Report - September
412 Fire Department Monthly Reports - September 2013
413 Harbor PD Monthly Report - September 2013
414 Internal Operations Department Monthly Report - September 2013
415 Police Department Monthly Report - September 2013
416 Recreation Monthly Report - September 2013
417 Rockwall Animal Adoption Center (RAAC) Monthly Report - September 2013
418 Rockwall County Committee on Aging (RCCOA) Quarterly Report

419 2. City Manager's Report
420

421 **City Manager Rick Crowley indicated that the City closed on the building and property**
422 **located at Washington and Fannin St. Construction, abatement and demolition will likely**
423 **occur very shortly, hopefully before the next council meeting. Hill Wilkinson, the**
424 **construction manager, has started work on some of the parking lots. Mr. Tim Tumulty,**
425 **City Engineer, will be overseeing and managing the downtown construction project. Mr.**
426 **Crowley also indicated that later this week, he and Mr. Griggs will be attending a meeting**
427 **of the International Shopping Center organization to discuss with retailers the many**
428 **advantages of doing business in the City of Rockwall. He shared that the recent rainfall**
429 **has not had a large impact on the lake levels and drought conditions.**

430
431 **At 7:28 p.m. Mayor Sweet read discussion item #s 1, 2, 4 and 5 listed below into the**
432 **public record, indicating that the Council will recess the public meeting into Executive**
433 **Session to discuss these matters following a short, five minute break.**
434

435 **XIV. EXECUTIVE SESSION**

436
437 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**
438 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**
439 **CODE:**

- 440 1. Discussion regarding appointments to city regulatory boards, commissions,
- 441 and committees including the Rockwall Central Appraisal District pursuant to
- 442 Section §551.074 (personnel matters)

- 443 2. Discussion regarding the following legal claims pursuant to Section 551.071
- 444 (Consultation with Attorney): TF-Harbor LLC v. City of Rockwall, Texas and
- 445 Rockwall Rental Properties L.P.; Natalie Vidal and Roberto Garza Jr,
- 446 individually and as next friend of E.G., a minor v. City of Rockwall, Texas

- 447 4. Discussion regarding the city's Fixed Based Operator airport agreement
- 448 pursuant to Section § 551.071 (Consultation with Attorney)

- 449 5. Discussion regarding potential acceptance of a land dedication gift from
- 450 Skorburg Company pursuant to Section § 551.071 (Consultation with
- 451 Attorney) and Section § 551.072 (Real Property).

452 **XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

453
454
455 **Council came out of Executive Session, and Mayor reconvened the public meeting at**
456 **7:54 p.m. Mayor Pro Tem White made a motion to authorize staff to issue an RFP**
457 **(request for proposals) for an FBO (fixed based operator) at the Rockwall Municipal**
458 **Airport. Councilmember Lewis seconded the motion, which passed unanimously of**
459 **council present (Midler absent).**

460
461 **Mayor Pro Tem White made a motion to reject the land dedication gift offered to the city**
462 **by Skorburg. Councilmember Daniels seconded the motion, which passed by a vote of 6**
463 **eyes with 1 absent (Milder).**

464
465
466 **XVI. ADJOURNMENT**

467
468 **Mayor Sweet adjourned the public meeting at 7:55 p.m.**
469

470 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
471 **TEXAS, this 18th day of November, 2013.**

472

473

474

475 **ATTEST:**

David Sweet, Mayor

476

477

478 _____
Kristy Ashberry, City Secretary

479

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty P.E., Director of Public Works/City Engineer

DATE: November 8, 2013

SUBJECT: Engineering Standards Revisions

This memo is a request by the Engineering Department to revise City's Standards of Design and Construction Manual and amending the City's revisions to the North Central Texas Council of Government Standard Specifications for Public Works Construction (3rd Edition) details for wastewater details/standards.

The existing wastewater (sanitary sewer) collection system materials listed in the engineering standards details need to be revised to include additional options to support the current construction requirements. This revision allows the developers and contractors more options by approving a variety of manufacturers that meet the City requirements.

Staff requests City Council approval of the attached ordinance allowing the list of sanitary sewer materials to be included in the City's Standards of Design and Construction Manual and the North Central Texas Council of Government Standard Specifications for Public Works Construction (3rd Edition)

If you have any questions, please advise.

TMT:tt

Attachment

Cc:
Mary Smith, Assistant City Manager
File

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 13-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 38. SUBDIVISIONS, ARTICLE I. IN GENERAL, SECTION 38-23. STANDARDS FOR DESIGN OF DEVELOPMENT WITHIN SUBDIVISIONS ADOPTED TO AMEND THE CITY OF ROCKWALL'S SUPPLEMENTAL SPECIAL PROVISIONS TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, NORTH CENTRAL TEXAS, 3RD EDITION; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Subdivisions Regulations of the City of Rockwall, as heretofore amended, by amending Section 38-23, Standards for Design of Development Within Subdivisions Adopted ; is hereby amended as follows:

D. The Standard Specifications for Public Works Construction, North Central Texas, 3rd Edition, 1998, Section II, Division 4000 as noted in the City of Rockwall's supplemental Special Provisions, are revised to read as follows:

I. SEWER MAIN AND SERVICE PIPE (Gravity Flow Only)

ASTM D3034 SDR-35 PVC 4" to 15" Diameter (Green in color)

ASTM D3034 SDR-26 PVC 18" to 30" Diameter and for any sewer line installed 10' and deeper (Green in color)

ASTM D3262 Fiberglass Sewer Pipe 18" to 54" and ASTM 4161 Fiberglass Fittings (must submit thickness design for wall thickness calculations) Approved Manufactures for Fiberglass Pipe and fitting are Hobas Pipe, US Composite Pipe South and Ameron International.

II. MANHOLE PIPE CONNECTORS

Link-Seal

A-LOC

KOR-N-SEAL – 306 Series By National Pollution Control Systems Inc.

PS (Press-Seal) – PSX: Direct Drive

III. SANITARY SEWER MANHOLE LIDS AND RINGS

Pamrex with Lock

East Jordan Iron Works 30" ERGO XL with Camlock Security closing device, MPIC Pick slot, elastomer T-Gasket in lid and infiltration plugs at the hinges. – Product No. 00148026L01

East Jordan Iron Works 24" ERGO with Camlock Security closing device, MPIC Pick slot, elastomer T-Gasket in lid and infiltration plugs at the hinges – Product No. NPR10-1213A (for retrofit work only).

- IV. MANHOLE COATINGS (No dark colors allowed)
 Raven 405 (125 mils thick)-light blue colored only
 ConShield-terra cotta colored only (must be spark tested per NACE International Standard)
- V. GEOTEXTILE MATERIAL (installed under precast manholes)
 Mirafi 140N
 Geotex 401
- VI. MANHOLE GRADE RINGS
 HDPE Adjustment Rings by Ladtech Inc.
 ARPRO Expanded Polypropylene, ASTM D3575, by Cretex Seals
 East Jordan Iron Works Infra-Riser.
- VII. PRE-CAST MANHOLE GASKETS
 Hanson – CR 097
 Hydroconduit – Profile
- VIII. MANHOLE CHIMNEY SEALS AND RING & COVER SEALING SYSTEMS:
 Cretex with stainless steel self locking bands. (interior & exterior)
 Riser Wrap by PSI
- IX. MANHOLE DROP BOWL
 Reliner / Duran Inc., Inside Drop Bowl with Stainless Steel anchor assemblies
 Approved Equal
- X. CLEANOUT
 Bass & Hays 404 Lateral Cleanout with lid and gasket
 Bass & Hays 339 Sanitary Sewer Cleanout Boot
- XI. DOUBLE CLEANOUT METER BOX
 Bass & Hays 3-LID2 (Sewer)
 Approved Equal
- XII. THREADED ANCHOR
 Hilti – KB3-SS304 5/8” anchor bolts or equal
 Stainless Steel all thread 5/8” (embedded min 4-1/2” into cone with a epoxy or Wedge-it)
 Simpson Strong Tie – Strong-Bolt 5/8”
- XIII. FORCE MAIN PIPE
 AWWA C-905 pipe, green colored
- XIV. AIR RELEASE VALVE
 Vent-O-Mat Anti-Shock Air Release and Vacuum Break Valves
 Approved Equal
- XV. ISOLATION GATE VALVE
 American-Series 2500 2”-12” Resilient Wedge Gate Valves with Flanged Ends
 Approved Equal

NOTE: All exposed Stainless Steel Bolts and Nuts must be coated with approved anti-seize compound: Permatex Nickel Anti-Seize or approved equal.

Section 2. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for

each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 3. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Subdivision Regulations of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 4. This ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this ordinance.

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of December, 2013.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 11-18-13

2nd Reading: 12-02-13

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: November 11, 2013

SUBJECT: AT&T Tower at Eastside Water Yard

AT&T Wireless is requesting to build a new monopole cellular tower at the City's Eastside Water Yard on I-30 (across from Shenaniganz). AT&T has provided information in the attached bullet points and coverage maps showing what the new site will achieve for its customers in this area of Rockwall. Also included in the packet is a photo simulation of the proposed tower showing before and after shots of what the tower is anticipated to look like once it is constructed on the site.

Attached for your consideration are the ground lease agreement and AT&T's proposed site plan and equipment plan. The main points of the agreement are:

- The tower will be a 120 foot monopole (plus 4 foot lightning rod).
- Monthly rent will be \$2,200.00 per month.
- The initial term of the agreement is 5 years and will automatically extend for 4 additional 5-year terms, with an escalator of 7.5% increase from one term to the next.

The City Attorney has reviewed the agreement. AT&T will be required to go through plan review and inspections just like any other project submitted to the City. If this project and location is favorable to the City Council, the request is to authorize the City Manager to execute the agreement on behalf of the City and proceed with installation.

LAND LEASE AGREEMENT

THIS LAND LEASE AGREEMENT ("**Agreement**"), dated as of the latter of the signature dates below (the "**Effective Date**"), is entered into by City of Rockwall, having a mailing address of 385 South Goliad Street, Rockwall, TX 75087 ("**Landlord**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 575 Morosgo Drive NE, Suite 13-F West Tower, Atlanta, GA 30324 ("**Tenant**").

BACKGROUND

Landlord owns or controls that certain plot, parcel or tract of land, as described on **Exhibit 1**, together with all rights and privileges arising in connection therewith, located at 898 TL Townsend Dr., Rockwall, in the County of Rockwall, State of Texas (collectively, the "**Property**"). Tenant desires to use a portion of the Property in connection with its federally licensed communications business. Landlord desires to grant to Tenant the right to use a portion of the Property in accordance with this Agreement.

The parties agree as follows:

- 1. LEASE OF PREMISES.** Landlord hereby leases to Tenant a certain portion of the Property containing approximately 2,500 square feet including the air space above such ground space, as described on attached **Exhibit 1** (the "**Premises**") for the placement of Tenant's Communication Facility. This lease is contingent on Tenant obtaining Federal Aviation Administration (FAA) approval for height and location of Communication Facility.
- 2. PERMITTED USE.** Tenant may use the Premises for the transmission and reception of communications signals and the installation, construction, maintenance, operation, repair, replacement and upgrade of its communications fixtures and related equipment, cables, accessories and improvements, which may include a suitable support structure, associated antennas, equipment shelters or cabinets and fencing and any other items necessary to the successful and secure use of the Premises (collectively, the "**Communication Facility**"), as well as the right to test, survey and review title on the Property; Tenant further has the right but not the obligation to add, modify and/or replace equipment in order to be in compliance with any current or future federal, state or local mandated application, including, but not limited to, emergency 911 communication services, at no additional cost to Tenant or Landlord (collectively, the "**Permitted Use**"). Landlord and Tenant agree that any portion of the Communication Facility that may be conceptually described on **Exhibit 1** will not be deemed to limit Tenant's Permitted Use. If **Exhibit 1** includes drawings of the initial installation of the Communication Facility, Landlord's execution of this Agreement will signify Landlord's approval of **Exhibit 1**; however, any increase in height or area used that goes beyond the design in **Exhibit 1**, will require Landlord approval. For a period of ninety (90) days following the start of construction, Landlord grants Tenant, its subtenants, licensees and sublicensees, the right to use such portions of Landlord's contiguous, adjoining or surrounding property (the "**Surrounding Property**") as may reasonably be required during construction and installation of the Communication Facility. Tenant has the right to install and operate transmission cables from the equipment shelter or cabinet to the antennas, electric lines from the main feed to the equipment shelter or cabinet and communication lines from the Property's main entry point to the equipment shelter or cabinet, and to make other improvements, alterations, upgrades or additions appropriate for Tenant's Permitted Use including the right to construct a fence around the Premises and undertake any other appropriate means to secure the Premises at Tenant's expense. Prior to construction of any fence around the Premises, Landlord must approve the dimensions, materials and location of the fence. Tenant has the right to modify, supplement, replace, upgrade, expand the equipment, increase the number of antennas or relocate the Communication Facility within the Premises at any time during the term of this Agreement. Tenant will be allowed to make such alterations to the Property in order to ensure that Tenant's Communication Facility complies with all

applicable federal, state or local laws, rules or regulations, including Landlord's ordinance regarding the hours of construction. In the event Tenant desires to modify or upgrade the Communication Facility, in a manner that requires an additional portion of the Property (the "**Additional Premises**") for such modification or upgrade, Landlord agrees to lease to Tenant the Additional Premises, upon the same terms and conditions set forth herein, except that the Rent shall increase, in conjunction with the lease of the Additional Premises by the amount equivalent to the then-current per square foot rental rate charged by Landlord to Tenant times the square footage of the Additional Premises. Any Additional Premises requested by Tenant must be limited to the modification or upgrade of the Communication Facility. Landlord agrees to take such actions and Tenant agrees to prepare all documents necessary and deliver to Landlord such documents as Tenant reasonably requests in order to effect and memorialize the lease of the Additional Premises to Tenant.

3. TERM.

(a) The initial lease term will be five (5) years ("**Initial Term**"), commencing on the Effective Date. The Initial Term will terminate on the fifth (5th) anniversary of the Effective Date.

(b) This Agreement will automatically renew for four (4) additional five (5) year term(s) (each five (5) year term shall be defined as an "**Extension Term**"), upon the same terms and conditions unless Tenant notifies Landlord in writing of Tenant's intention not to renew this Agreement at least sixty (60) days prior to the expiration of the Initial Term or then-existing Extension Term.

(c) Unless (i) Landlord or Tenant notifies the other in writing of its intention to terminate this Agreement at least six (6) months prior to the expiration of the final Extension Term, or (ii) the Agreement is terminated prior to the end of the final Extension Term, then upon the final Extension Term, this Agreement shall continue in force upon the same covenants, terms and conditions for a further term of one (1) year, and for annual terms thereafter (each an "**Annual Term**") until terminated by either party by giving to the other written notice of its intention to so terminate at least six (6) months prior to the end of any such Annual Term. Monthly rental during such Annual Terms shall be equal to the Rent paid for the last month of the final Extension Term. If Tenant remains in possession of the Premises after the termination of this Agreement then Tenant will be deemed to be occupying the Premises on a month-to-month basis (the "**Holdover Term**"), subject to the terms and conditions of this Agreement.

(d) The Initial Term, any Extension Terms, any Annual Terms and any Holdover Term are collectively referred to as the Term ("**Term**").

4. RENT.

(a) Commencing on the first day of the month following the date that Tenant commences construction (the "**Rent Commencement Date**"), Tenant will pay Landlord on or before the fifth (5th) day of each calendar month in advance, Two Thousand Two Hundred and No/100 Dollars (\$2,200.00) (the "**Rent**"), at the address set forth above. In any partial month occurring after the Rent Commencement Date, Rent will be prorated. The initial Rent payment will be forwarded by Tenant to Landlord within forty-five (45) days after the Rent Commencement Date.

(b) In year one (1) of each Extension Term, the monthly Rent will increase by seven and one-half percent (7½%) over the Rent paid during the previous five (5) year term.

(c) All charges payable under this Agreement such as utilities and taxes shall be billed by Landlord within one (1) year from the end of the calendar year in which the charges were incurred. The foregoing shall not apply to monthly Rent which is due and payable without a requirement that it be billed by Landlord. The provisions of this subsection shall survive the termination or expiration of this Agreement.

5. APPROVALS.

(a) Landlord agrees that Tenant's ability to use the Premises is contingent upon the suitability of the Premises and Property for Tenant's Permitted Use and Tenant's ability to obtain and maintain all governmental licenses, permits, approvals or other relief required of or deemed necessary or appropriate by Tenant for its use of the Premises, including without limitation applications for zoning variances, zoning ordinances, amendments,

special use permits, and construction permits (collectively, the "**Government Approvals**"). Landlord authorizes Tenant to prepare, execute and file all required applications to obtain Government Approvals for Tenant's Permitted Use under this Agreement and agrees to reasonably assist Tenant with such applications and with obtaining and maintaining the Government Approvals. In addition, Tenant shall have the right to initiate the ordering and/or scheduling of necessary utilities.

(b) Tenant has the right to obtain a title report or commitment for a leasehold title policy from a title insurance company of its choice and to have the Property surveyed by a surveyor of its choice.

(c) Tenant may also perform and obtain, at Tenant's sole cost and expense, soil borings, percolation tests, engineering procedures, environmental investigation or other tests or reports on, over, and under the Property, necessary to determine if Tenant's use of the Premises will be compatible with Tenant's engineering specifications, system, design, operations or Government Approvals.

6. **TERMINATION.** This Agreement may be terminated, without penalty or further liability, as follows:

(a) by either party on thirty (30) days prior written notice, if the other party remains in default under Section 15 of this Agreement after the applicable cure periods;

(b) by Tenant upon written notice to Landlord, if Tenant is unable to obtain, or maintain, any required approval(s) or the issuance of a license or permit by any agency, board, court or other governmental authority necessary for the construction or operation of the Communication Facility as now or hereafter intended by Tenant; or if Tenant determines, in its sole discretion that the cost of obtaining or retaining the same is commercially unreasonable;

(c) by Tenant, upon written notice to Landlord, if Tenant determines, in its sole discretion, due to the title report results or survey results, that the condition of the Premises is unsatisfactory for its intended uses;

(d) by Tenant upon written notice to Landlord for any reason or no reason, at any time prior to commencement of construction by Tenant; or

(e) by Tenant upon sixty (60) days' prior written notice to Landlord for any reason or no reason, so long as Tenant pays Landlord a termination fee equal to three (3) months' Rent, at the then-current rate, provided, however, that no such termination fee will be payable on account of the termination of this Agreement by Tenant under any termination provision contained in any other Section of this Agreement, including the following: 5 Approvals, 6(a) Termination, 6(b) Termination, 6(c) Termination, 6(d) Termination, 11(d) Environmental, 18 Condemnation or 19 Casualty.

7. **INSURANCE.**

(a) During the Term, Tenant will carry, at its own cost and expense, the following insurance: (i) workers' compensation insurance as required by law; and (ii) commercial general liability (CGL) insurance with respect to its activities on the Property, such insurance to afford protection of up to Three Million Dollars (\$3,000,000) per occurrence and Six Million Dollars (\$6,000,000) general aggregate, based on Insurance Services Office (ISO) Form CG 00 01 or a substitute form providing substantially equivalent coverage. Tenant's CGL insurance shall contain a provision including Landlord as an additional insured. Such additional insured coverage:

(i) shall be limited to bodily injury, property damage or personal and advertising injury caused, in whole or in part, by Tenant, its employees, agents or independent contractors;

(ii) shall not extend to claims for punitive or exemplary damages arising out of the acts or omissions of Landlord, its employees, agents or independent contractors or where such coverage is prohibited by law or to claims arising out of the gross negligence of Landlord, its employees, agents or independent contractors; and

(iii) shall not exceed Tenant's indemnification obligation under this Agreement, if any.

(b) Notwithstanding the foregoing, Tenant shall have the right to self-insure the coverages required in subsection (a). In the event Tenant elects to self-insure its obligation to include Landlord as an additional insured, the following provisions shall apply (in addition to those set forth in subsection (a)):

(i) Landlord shall promptly and no later than thirty (30) days after notice thereof provide Tenant with written notice of any claim, demand, lawsuit, or the like for which it seeks coverage pursuant to this Section and provide Tenant with copies of any demands, notices, summonses, or legal papers received in connection with such claim, demand, lawsuit, or the like;

(ii) Landlord shall not settle any such claim, demand, lawsuit, or the like without the prior written consent of Tenant; and

(iii) Landlord shall fully cooperate with Tenant in the defense of the claim, demand, lawsuit, or the like.

8. INTERFERENCE.

(a) Prior to or concurrent with the execution of this Agreement, Landlord has provided or will provide Tenant with a list of radio frequency user(s) and frequencies used on the Property as of the Effective Date. Tenant warrants that its use of the Premises will not interfere with those existing radio frequency uses on the Property, as long as the existing radio frequency user(s) operate and continue to operate within their respective frequencies and in accordance with all applicable laws and regulations.

(b) Landlord will not grant, after the date of this Agreement, a lease, license or any other right to any third party, if exercise of such grant may in any way adversely affect or interfere with the Communication Facility, the operations of Tenant or the rights of Tenant under this Agreement. Landlord will notify Tenant in writing prior to granting any third party the right to install and operate communications equipment on the Property.

(c) Landlord will not, nor will Landlord permit its employees, tenants, licensees, invitees, agents or independent contractors to, in interfere in any way with the Communication Facility, the operations of Tenant or the rights of Tenant under this Agreement. Landlord will cause such interference to cease within twenty-four (24) hours after receipt of notice of interference from Tenant. In the event any such interference does not cease within the aforementioned cure period, Landlord shall cease all operations which are suspected of causing interference (except for intermittent testing to determine the cause of such interference) until the interference has been corrected.

(d) For the purposes of this Agreement, "interference" may include, but is not limited to, any use on the Property or Surrounding Property that causes electronic or physical obstruction with, or degradation of, the communications signals from the Communication Facility.

9. INDEMNIFICATION.

(a) Tenant agrees to indemnify, defend and hold Landlord harmless from and against any and all injury, loss, damage or liability (or any claims in respect of the foregoing), costs or expenses (including reasonable attorneys' fees and court costs) arising directly from the installation, use, maintenance, repair or removal of the Communication Facility or Tenant's breach of any provision of this Agreement, except to the extent attributable to intentional act or omission of Landlord, its employees, agents or independent contractors.

(b) To the extent allowed by law, Landlord agrees to indemnify, defend and hold Tenant harmless from and against any and all injury, loss, damage or liability (or any claims in respect of the foregoing), costs or expenses (including reasonable attorneys' fees and court costs) arising directly from the actions or failure to act of Landlord, its employees or agents, or Landlord's breach of any provision of this Agreement, except to the extent attributable to the negligent or intentional act or omission of Tenant, its employees, agents or independent contractors.

(c) The indemnified party: (i) shall promptly provide the indemnifying party with written notice of any claim, demand, lawsuit, or the like for which it seeks indemnification pursuant to this Section and provide the indemnifying party with copies of any demands, notices, summonses, or legal papers received in connection with such claim, demand, lawsuit, or the like; (ii) shall not settle any such claim, demand, lawsuit, or the like without the prior written consent of the indemnifying party; and (iii) shall fully cooperate with the indemnifying party in the defense of the claim, demand, lawsuit, or the like. A delay in notice shall not relieve the indemnifying party of its indemnity obligation, except (1) to the extent the indemnifying party can show it was prejudiced by the delay; and (2) the indemnifying party shall not be liable for any settlement or litigation expenses incurred before the time when notice is given.

10. WARRANTIES.

(a) Tenant and Landlord each acknowledge and represent that it is duly organized, validly existing and in good standing and has the right, power and authority to enter into this Agreement and bind itself hereto through the party set forth as signatory for the party below.

(b) Landlord represents, warrants and agrees that: (i) Landlord solely owns the Property as a legal lot in fee simple, or controls the Property by lease or license; (ii) the Property is not and will not be encumbered by any liens, restrictions, mortgages, covenants, conditions, easements, leases, or any other agreements of record or not of record, which would adversely affect Tenant's Permitted Use and enjoyment of the Premises under this Agreement; (iii) as long as Tenant is not in default then Landlord grants to Tenant sole, actual, quiet and peaceful use, enjoyment and possession of the Premises without hindrance or ejection by any persons lawfully claiming under Landlord ; (iv) Landlord's execution and performance of this Agreement will not violate any laws, ordinances, covenants or the provisions of any mortgage, lease or other agreement binding on Landlord; and (v) if the Property is or becomes encumbered by a deed to secure a debt, mortgage or other security interest, Landlord will provide promptly to Tenant a mutually agreeable subordination, non-disturbance and attornment agreement executed by Landlord and the holder of such security interest.

11. ENVIRONMENTAL.

(a) Landlord represents and warrants, except as may be identified in **Exhibit 11** attached to this Agreement, (i) the Property, as of the date of this Agreement, is free of hazardous substances, including asbestos-containing materials and lead paint, and (ii) the Property has never been subject to any contamination or hazardous conditions resulting in any environmental investigation, inquiry or remediation. Landlord and Tenant agree that each will be responsible for compliance with any and all applicable governmental laws, rules, statutes, regulations, codes, ordinances, or principles of common law regulating or imposing standards of liability or standards of conduct with regard to protection of the environment or worker health and safety, as may now or at any time hereafter be in effect, to the extent such apply to that party's activity conducted in or on the Property

(b) To the extent allowed by law, Landlord and Tenant agree to hold harmless and indemnify the other from, and to assume all duties, responsibilities and liabilities at the sole cost and expense of the indemnifying party for, payment of penalties, sanctions, forfeitures, losses, costs or damages, and for responding to any action, notice, claim, order, summons, citation, directive, litigation, investigation or proceeding ("**Claims**"), to the extent arising from that party's breach of its obligations or representations under Section 11(a). Landlord agrees to hold harmless and indemnify Tenant from, and to assume all duties, responsibilities and liabilities at the sole cost and expense of Landlord for, payment of penalties, sanctions, forfeitures, losses, costs or damages, and for responding to any Claims, to the extent arising from subsurface or other contamination of the Property with hazardous substances prior to the Effective Date of this Agreement or from such contamination caused by the acts or omissions of Landlord during the Term. Tenant agrees to hold harmless and indemnify Landlord from, and to assume all duties, responsibilities and liabilities at the sole cost and expense of Tenant for, payment of penalties, sanctions, forfeitures, losses, costs or damages, and for responding to any Claims, to the extent arising from hazardous substances brought onto the Property by Tenant.

(c) The indemnifications of this Section 11 specifically include reasonable costs, expenses and fees incurred in connection with any investigation of Property conditions or any clean-up, remediation, removal or restoration work required by any governmental authority. The provisions of this Section 11 will survive the expiration or termination of this Agreement.

(d) In the event Tenant becomes aware of any hazardous materials on the Property, or any environmental, health or safety condition or matter relating to the Property, that, in Tenant's sole determination, renders the condition of the Premises or Property unsuitable for Tenant's use, or if Tenant believes that the leasing or continued leasing of the Premises would expose Tenant to undue risks of liability to a government agency or third party, Tenant will have the right, in addition to any other rights it may have at law or in equity, to terminate this Agreement upon written notice to Landlord.

12. ACCESS. At all times throughout the Term of this Agreement, and at no additional charge to Tenant, Tenant and its employees, agents, and subcontractors, will have twenty-four (24) hour per day, seven (7) day per week pedestrian and vehicular access (“**Access**”) to and over the Property, from an open and improved public road to the Premises, for the installation, maintenance and operation of the Communication Facility and any utilities serving the Premises. As may be described more fully in **Exhibit 1**, Landlord grants to Tenant an easement for such Access and Landlord agrees to provide to Tenant such codes, keys and other instruments necessary for such Access at no additional cost to Tenant. Upon Tenant’s request, Landlord will execute a separate recordable easement evidencing this right. Landlord shall execute a letter granting Tenant Access to the Property substantially in the form attached as **Exhibit 12**; upon Tenant’s request, Landlord shall execute additional letters during the Term. Landlord acknowledges that in the event Tenant cannot obtain Access to the Premises, Tenant shall incur significant damage. If Landlord fails to provide the Access granted by this Section 12, such failure shall be a default under this Agreement.

13. REMOVAL/RESTORATION. All portions of the Communication Facility brought onto the Property by Tenant will be and remain Tenant’s personal property and, at Tenant’s option, may be removed by Tenant at any time during or after the Term. Landlord covenants and agrees that no part of the Communication Facility constructed, erected or placed on the Premises by Tenant will become, or be considered as being affixed to or a part of, the Property, it being the specific intention of Landlord that all improvements of every kind and nature constructed, erected or placed by Tenant on the Premises will be and remain the property of Tenant and may be removed by Tenant at any time during or after the Term. Tenant will repair any damage to the Property resulting from Tenant’s removal activities and Tenant agrees to restore the Premises to its condition at the commencement of the Agreement, reasonable wear and tear and loss by casualty or other causes beyond Tenant’s control excepted. Any portions of the Communication Facility that Tenant does not remove within ninety (90) days after the later of the end of the Term and cessation of Tenant’s operations at the Premises shall be deemed abandoned and owned by Landlord. Notwithstanding the foregoing, Tenant will not be responsible for the replacement of any trees, shrubs or other vegetation, nor will Tenant be required to remove from the Premises or the Property any structural steel or any foundations or underground utilities.

14. MAINTENANCE/UTILITIES.

(a) Tenant will keep and maintain the Premises in good condition, reasonable wear and tear and damage from the elements excepted. Landlord will maintain and repair the Property and access thereto and all areas of the Premises where Tenant does not have exclusive control, in good and tenantable condition, subject to reasonable wear and tear and damage from the elements. Landlord will be responsible for maintenance of landscaping on the Property, including any landscaping installed by Tenant as a condition of this Agreement or any required permit.

(b) Tenant will be responsible for paying on a monthly or quarterly basis all utilities charges for electricity, telephone service or any other utility used or consumed by Tenant on the Premises. In the event Tenant cannot secure its own metered electrical supply, Tenant will have the right, at its own cost and expense, to submeter from Landlord. When submetering is required under this Agreement, Landlord will read the meter and provide Tenant with an invoice and usage data on a monthly basis. Landlord agrees that it will not include a markup on the utility charges. Landlord further agrees to provide the usage data and invoice on forms provided by Tenant and to send such forms to such address and/or agent designated by Tenant. Tenant will remit payment within forty-five (45) days of receipt of the usage data and required forms. As noted in Section 4(c) above, any utility fee recovery by Landlord is limited to a twelve (12) month period. If Tenant submeters electricity from Landlord, Landlord agrees to give Tenant at least twenty-four (24) hours advance notice of any planned interruptions of said electricity. Landlord acknowledges that Tenant provides a communication service which requires electrical power to operate and must operate twenty-four (24) hours per day, seven (7) days per week. If the interruption is for an extended period of time, in Tenant’s reasonable determination, Landlord agrees to allow Tenant the right to bring in a temporary source of power for the duration of the interruption. Landlord will not be responsible for interference

with, interruption of or failure, beyond the reasonable control of Landlord, of such services to be furnished or supplied by Landlord.

(c) Landlord hereby grants to any company providing utility or similar services, including electric power, fiber, and telecommunications, to Tenant an easement over the Property, from an open and improved public road to the Premises, and upon the Premises, for the purpose of constructing, operating and maintaining such lines, wires, circuits, and conduits, associated equipment cabinets and such appurtenances thereto, as such utility companies may from time to time require in order to provide such services to the Premises. Upon Tenant's or service company's request, Landlord will execute a separate recordable easement evidencing this grant, at no cost to Tenant or the service company.

15. DEFAULT AND RIGHT TO CURE.

(a) The following will be deemed a default by Tenant and a breach of this Agreement: (i) non-payment of Rent if such Rent remains unpaid for more than thirty (30) days after written notice from Landlord of such failure to pay; or (ii) Tenant's failure to perform any other term or condition under this Agreement within forty-five (45) days after written notice from Landlord specifying the failure. No such failure, however, will be deemed to exist if Tenant has commenced to cure such default within such period and provided that such efforts are prosecuted to completion with reasonable diligence. Delay in curing a default will be excused if due to causes beyond the reasonable control of Tenant. If Tenant remains in default beyond any applicable cure period, Landlord will have the right to exercise any and all rights and remedies available to it under law and equity.

(b) The following will be deemed a default by Landlord and a breach of this Agreement: (i) Landlord's failure to provide Access to the Premises as required by Section 12 of this Agreement within twenty-four (24) hours after written notice of such failure; (ii) Landlord's failure to cure an interference problem as required by Section 8 of this Agreement within twenty-four (24) hours after written notice of such failure; or (iii) Landlord's failure to perform any term, condition or breach of any warranty or covenant under this Agreement within forty-five (45) days after written notice from Tenant specifying the failure. No such failure, however, will be deemed to exist if Landlord has commenced to cure the default within such period and provided such efforts are prosecuted to completion with reasonable diligence. Delay in curing a default will be excused if due to causes beyond the reasonable control of Landlord. If Landlord remains in default beyond any applicable cure period, Tenant will have: (i) the right to cure Landlord's default and to deduct the costs of such cure from any monies due to Landlord from Tenant, and (ii) any and all other rights available to it under law and equity.

16. ASSIGNMENT/SUBLEASE. Tenant will have the right to assign this Agreement or sublease the Premises and its rights herein, in whole or in part, without Landlord's consent by providing at least ten (10) days written notice prior to such assignment or sublease. Upon notification to Landlord of such assignment, Tenant will be relieved of all future performance, liabilities and obligations under this Agreement to the extent of such assignment.

17. NOTICES. All notices, requests and demands hereunder will be given by first class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received, refused or returned undelivered. Notices will be addressed to the parties as follows:

If to Tenant: New Cingular Wireless PCS, LLC
 Attn: Network Real Estate Administration
 Re: Cell Site #: DX3353; Cell Site Name: I-30 E/Hwy 205 (TX)
 Fixed Asset No.: 12773670
 575 Morosgo Drive NE
 Suite 13-F West Tower
 Atlanta, GA 30324

With a copy to:

New Cingular Wireless PCS, LLC
Attn.: Legal Department
Re: Cell Site #: DX3353; Cell Site Name: I-30 E/Hwy 205 (TX)
Fixed Asset No.: 12773670
208 S. Akard Street
Dallas, Texas 75202-4206

If to Landlord: City of Rockwall
City Manager
385 South Goliad Street
Rockwall, TX 75087

Either party hereto may change the place for the giving of notice to it by thirty (30) days' prior written notice to the other as provided herein.

18. CONDEMNATION. In the event Landlord receives notification of any condemnation proceedings affecting the Property, Landlord will provide notice of the proceeding to Tenant within forty-eight (48) hours. If a condemning authority takes all of the Property, or a portion sufficient, in Tenant's sole determination, to render the Premises unsuitable for Tenant, this Agreement will terminate as of the date the title vests in the condemning authority. The parties will each be entitled to pursue their own separate awards in the condemnation proceeds, which for Tenant will include, where applicable, the value of its Communication Facility, moving expenses, prepaid Rent, and business dislocation expenses. Tenant will be entitled to reimbursement for any prepaid Rent on a prorata basis.

19. CASUALTY. Landlord will provide notice to Tenant of any casualty or other harm affecting the Property within forty-eight (48) hours of the casualty or other harm. If any part of the Communication Facility or Property is damaged by casualty or other harm as to render the Premises unsuitable, in Tenant's sole determination, then Tenant may terminate this Agreement by providing written notice to Landlord, which termination will be effective as of the date of such casualty or other harm. Upon such termination, Tenant will be entitled to collect all insurance proceeds payable to Tenant on account thereof and to be reimbursed for any prepaid Rent on a prorata basis. Landlord agrees to permit Tenant to place temporary transmission and reception facilities on the Property, but only until such time as Tenant is able to activate a replacement transmission facility at another location; notwithstanding the termination of this Agreement, such temporary facilities will be governed by all of the terms and conditions of this Agreement, including Rent. If Landlord or Tenant undertakes to rebuild or restore the Premises and/or the Communication Facility, as applicable, Landlord agrees to permit Tenant to place temporary transmission and reception facilities on the Property at no additional Rent until the reconstruction of the Premises and/or the Communication Facility is completed. If Landlord determines not to rebuild or restore the Property, Landlord will notify Tenant of such determination within thirty (30) days after the casualty or other harm. If Landlord does not so notify Tenant and Tenant decides not to terminate under this Section, then Landlord will promptly rebuild or restore any portion of the Property interfering with or required for Tenant's Permitted Use of the Premises to substantially the same condition as existed before the casualty or other harm. Landlord agrees that the Rent shall be abated until the Property and/or the Premises are rebuilt or restored, unless Tenant places temporary transmission and reception facilities on the Property.

20. WAIVER OF LANDLORD'S LIENS. Landlord waives any and all lien rights it may have, statutory or otherwise, concerning the Communication Facility or any portion thereof. The Communication Facility shall be deemed personal property for purposes of this Agreement, regardless of whether any portion is deemed real or

personal property under applicable law; Landlord consents to Tenant's right to remove all or any portion of the Communication Facility from time to time in Tenant's sole discretion and without Landlord's consent.

21. TAXES.

(a) Landlord shall be responsible for timely payment of all taxes and assessments levied upon the lands, improvements and other property of Landlord including any such taxes that may be calculated by the taxing authority using any method, including the income method. Tenant shall be responsible for any taxes and assessments attributable to and levied upon Tenant's leasehold improvements on the Premises if and as set forth in this Section 21. Nothing herein shall require Tenant to pay any inheritance, franchise, income, payroll, excise, privilege, rent, capital stock, stamp, documentary, estate or profit tax, or any tax of similar nature, that is or may be imposed upon Landlord.

(b) In the event Landlord receives a notice of assessment with respect to which taxes or assessments are imposed on Tenant's leasehold improvements on the Premises, Landlord shall provide Tenant with copies of each such notice immediately upon receipt, but in no event later than thirty (30) days after the date of such notice of assessment. If Landlord does not provide such notice or notices to Tenant within one (1) year from the date of each such each notice, Landlord shall be responsible for payment of the tax or assessment set forth in the notice, and Landlord shall not have the right to reimbursement of such amount from Tenant. If Landlord provides a notice of assessment to Tenant within such time period and requests reimbursement from Tenant as set forth below, then Tenant shall reimburse Landlord for the tax or assessments identified on the notice of assessment on Tenant's leasehold improvements, which has been paid by Landlord. If Landlord seeks reimbursement from Tenant, Landlord shall, no later than thirty (30) days after Landlord's payment of the taxes or assessments for the assessed tax year, provide Tenant with written notice including evidence that Landlord has timely paid same, and Landlord shall provide to Tenant any other documentation reasonably requested by Tenant to allow Tenant to evaluate the payment and to reimburse Landlord.

(c) For any tax amount for which Tenant is responsible under this Agreement, Tenant shall have the right to contest, in good faith, the validity or the amount thereof using such administrative, appellate or other proceedings as may be appropriate in the jurisdiction, and may defer payment of such obligations, pay same under protest, or take such other steps as Tenant may deem appropriate. This right shall include the ability to institute any legal, regulatory or informal action in the name of Landlord, Tenant, or both, with respect to the valuation of the Premises. Landlord shall cooperate with respect to the commencement and prosecution of any such proceedings and will execute any documents required therefor. The expense of any such proceedings shall be borne by Tenant and any refunds or rebates secured as a result of Tenant's action shall belong to Tenant, to the extent the amounts were originally paid by Tenant. In the event Tenant notifies Landlord by the due date for assessment of Tenant's intent to contest the assessment, Landlord shall not pay the assessment pending conclusion of the contest, unless required by applicable law.

(d) Landlord shall not split or cause the tax parcel on which the Premises are located to be split, bifurcated, separated or divided without the prior written consent of Tenant.

(e) Any tax-related notices shall be sent to Tenant in the manner set forth in Section 17 and, in addition, of a copy of any such notices shall be sent to the following address. Promptly after the Effective Date of this Agreement, Landlord shall provide the following address to the taxing authority for the authority's use in the event the authority needs to communicate with Tenant. In the event that Tenant's tax addresses changes by notice to Landlord, Landlord shall be required to provide Tenant's new tax address to the taxing authority or authorities.

New Cingular Wireless PCS, LLC
Attn: Network Real Estate Administration -- Taxes
Re: Cell Site #DXU3353; Cell Site Name: I30 E/HWY 205 (TX)

Fixed Asset No: 12773670
575 Morosgo Drive NE
Suite 13-F West Tower
Atlanta, GA 30324

(g) Notwithstanding anything to the contrary contained in this Section 21, Tenant shall have no obligation to reimburse any tax or assessment for which the Landlord is reimbursed or rebated by a third party.

22. SALE OF PROPERTY.

(a) Landlord shall not be prohibited from the selling, leasing or use of any of the Property or the Surrounding Property except as provided below.

(b) If Landlord, at any time during the Term of this Agreement, decides to rezone or sell, subdivide or otherwise transfer all or any part of the Premises, or all or any part of the Property or Surrounding Property, to a purchaser other than Tenant, Landlord shall promptly notify Tenant in writing, and such rezoning, sale, subdivision or transfer shall be subject to this Agreement and Tenant's rights hereunder. In the event of a change in ownership, transfer or sale of the Property, within ten (10) days of such transfer, Landlord or its successor shall send the documents listed below in this subsection (b) to Tenant. Until Tenant receives all such documents, Tenant shall not be responsible for any failure to make payments under this Agreement and reserves the right to hold payments due under this Agreement.

- i. Old deed to Property
- ii. New deed to Property
- iii. Bill of Sale or Transfer
- iv. Copy of current Tax Bill
- v. New IRS Form W-9
- vi. Completed and Signed AT&T Payment Direction Form
- vii. Full contact information for new Landlord including phone number(s)

(c) Landlord agrees not to sell, lease or use any areas of the Property or Surrounding Property for the installation, operation or maintenance of other wireless communications facilities if such installation, operation or maintenance would interfere with Tenant's Permitted Use or communications equipment as determined by radio propagation tests performed by Tenant in its sole discretion. Landlord or Landlord's prospective purchaser shall reimburse Tenant for any costs and expenses of such testing. If the radio frequency propagation tests demonstrate levels of interference unacceptable to Tenant, Landlord shall be prohibited from selling, leasing or using any areas of the Property or the Surrounding Property for purposes of any installation, operation or maintenance of any other wireless communications facility or equipment.

(d) The provisions of this Section shall in no way limit or impair the obligations of Landlord under this Agreement, including interference and access obligations.

23. RENTAL STREAM OFFER. If at any time after the date of this Agreement, Landlord receives a bona fide written offer from a third party seeking an assignment or transfer of the Rent payments associated with this Agreement ("**Rental Stream Offer**"), Landlord shall immediately furnish Tenant with a copy of the Rental Stream Offer. Tenant shall have the right within twenty (20) days after it receives such copy to match the Rental Stream Offer and agree in writing to match the terms of the Rental Stream Offer. Such writing shall be in the form of a contract substantially similar to the Rental Stream Offer. If Tenant chooses not to exercise this right or fails to provide written notice to Landlord within the twenty (20) day period, Landlord may assign the right to receive Rent payments pursuant to the Rental Stream Offer, subject to the terms of this Agreement. If Landlord attempts to assign or transfer Rent payments without complying with this Section, the assignment or transfer shall be void. Tenant shall not be responsible for any failure to make payments under this Agreement and reserves the right to hold payments due under this Agreement until Landlord complies with this Section.

24. **MISCELLANEOUS.**

(a) **Amendment/Waiver.** This Agreement cannot be amended, modified or revised unless done in writing and signed by Landlord and Tenant. No provision may be waived except in a writing signed by both parties. The failure by a party to enforce any provision of this Agreement or to require performance by the other party will not be construed to be a waiver, or in any way affect the right of either party to enforce such provision thereafter.

(b) **Memorandum/Short Form Lease.** Contemporaneously with the execution of this Agreement, the parties will execute a recordable Memorandum or Short Form of Lease substantially in the form attached as **Exhibit 24(b)**. Either party may record this Memorandum or Short Form of Lease at any time during the Term, in its absolute discretion. Thereafter during the Term of this Agreement, either party will, at any time upon fifteen (15) business days' prior written notice from the other, execute, acknowledge and deliver to the other a recordable Memorandum or Short Form of Lease.

(c) **Limitation of Liability.** Except for the indemnity obligations set forth in this Agreement, and otherwise notwithstanding anything to the contrary in this Agreement, Tenant and Landlord each waives any claims that each may have against the other with respect to consequential, incidental or special damages, however caused, based on any theory of liability.

(d) **Compliance with Law.** Tenant agrees to comply with all federal, state and local laws, orders, rules and regulations ("**Laws**") applicable to Tenant's use of the Communication Facility on the Property. Landlord agrees to comply with all Laws relating to Landlord's ownership and use of the Property and any improvements on the Property.

(e) **Bind and Benefit.** The terms and conditions contained in this Agreement will run with the Property and bind and inure to the benefit of the parties, their respective heirs, executors, administrators, successors and assigns.

(f) **Entire Agreement.** This Agreement and the exhibits attached hereto, all being a part hereof, constitute the entire agreement of the parties hereto and will supersede all prior offers, negotiations and agreements with respect to the subject matter of this Agreement. Exhibits are numbered to correspond to the Section wherein they are first referenced. Except as otherwise stated in this Agreement, each party shall bear its own fees and expenses (including the fees and expenses of its agents, brokers, representatives, attorneys, and accountants) incurred in connection with the negotiation, drafting, execution and performance of this Agreement and the transactions it contemplates.

(g) **Governing Law.** This Agreement will be governed by the laws of the state in which the Premises are located, without regard to conflicts of law.

(h) **Interpretation.** Unless otherwise specified, the following rules of construction and interpretation apply: (i) captions are for convenience and reference only and in no way define or limit the construction of the terms and conditions hereof; (ii) use of the term "including" will be interpreted to mean "including but not limited to"; (iii) whenever a party's consent is required under this Agreement, except as otherwise stated in the Agreement or as same may be duplicative, such consent will not be unreasonably withheld, conditioned or delayed; (iv) exhibits are an integral part of this Agreement and are incorporated by reference into this Agreement; (v) use of the terms "termination" or "expiration" are interchangeable; (vi) reference to a default will take into consideration any applicable notice, grace and cure periods; (vii) to the extent there is any issue with respect to any alleged, perceived or actual ambiguity in this Agreement, the ambiguity shall not be resolved on the basis of who drafted the Agreement; and (viii) the singular use of words includes the plural where appropriate.

(i) **Affiliates.** All references to "Tenant" shall be deemed to include any Affiliate of New Cingular Wireless PCS, LLC using the Premises for any Permitted Use or otherwise exercising the rights of Tenant pursuant to this Agreement. "Affiliate" means with respect to a party to this Agreement, any person or entity that (directly or indirectly) controls, is controlled by, or under common control with, that party. "Control" of a person or entity means the power (directly or indirectly) to direct the management or policies of that person or entity, whether through the ownership of voting securities, by contract, by agency or otherwise.

(j) **Survival.** Any provisions of this Agreement relating to indemnification shall survive the termination or expiration hereof. In addition, any terms and conditions contained in this Agreement that by their sense and context are intended to survive the termination or expiration of this Agreement shall so survive.

(k) **W-9.** As a condition precedent to payment Landlord agrees to provide Tenant with a completed IRS Form W-9, or its equivalent, upon execution of this Agreement and at such other times as may be reasonably requested by Tenant, including any change in Landlord's name or address.

(kl) **Execution/No Option.** The submission of this Agreement to any party for examination or consideration does not constitute an offer, reservation of or option for the Premises based on the terms set forth herein. This Agreement will become effective as a binding Agreement only upon the handwritten legal execution, acknowledgment and delivery hereof by Landlord and Tenant. This Agreement may be executed in two (2) or more counterparts, all of which shall be considered one and the same agreement and shall become effective when one or more counterparts have been signed by each of the parties. All parties need not sign the same counterpart.

(m) **Attorneys' Fees.** In the event that any dispute between the parties related to this Agreement should result in litigation, the prevailing party in such litigation shall be entitled to recover from the other party all reasonable fees and expenses of enforcing any right of the prevailing party, including without limitation, reasonable attorneys' fees and expenses. Prevailing party means the party determined by the court to have most nearly prevailed even if such party did not prevail in all matters. This provision will not be construed to entitle any party other than Landlord, Tenant and their respective Affiliates to recover their fees and expenses.

(n) **Severability.** If any term or condition of this Agreement is found unenforceable, the remaining terms and conditions will remain binding upon the parties as though said unenforceable provision were not contained herein. However, if the invalid, illegal or unenforceable provision materially affects this Agreement then the Agreement may be terminated by either party on ten (10) business days prior written notice to the other party hereto.

(o) **Counterparts.** This Agreement may be executed in two (2) or more counterparts, all of which shall be considered on and the same agreement and shall become effective when one or more counterparts have been signed by each of the parties and Tenant has obtained FAA approval. It being understood that all parties need not sign the same counterpart.

[SIGNATURES APPEAR ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have caused this Agreement to be effective as of the last date written below.

"LANDLORD"

City of Rockwall

By: _____

Print Name: _____

Its: _____

Date: _____

"TENANT"

New Cingular Wireless PCS, LLC,
a Delaware limited liability company

By: AT&T Mobility Corporation

Its: Manager

By: _____

Print Name: _____

Its: _____

Date: _____

[ACKNOWLEDGMENTS APPEAR ON THE NEXT PAGE]

TENANT ACKNOWLEDGMENT

STATE OF _____ }

COUNTY OF _____ }

On the ____ day of _____, 20__, before me personally appeared _____, and acknowledged under oath that he/she is the _____ of AT&T Mobility Corporation, the Manager of New Cingular Wireless PCS, LLC, the Tenant named in the attached instrument, and as such was authorized to execute this instrument on behalf of the Tenant.

Notary Public: _____
My Commission Expires: _____

LANDLORD ACKNOWLEDGMENT

STATE OF _____ }

COUNTY OF _____ }

On the ____ day of _____ in the year 20__ before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public: _____
My Commission Expires: _____

EXHIBIT 1

DESCRIPTION OF PROPERTY AND PREMISES

Page 1 of ____

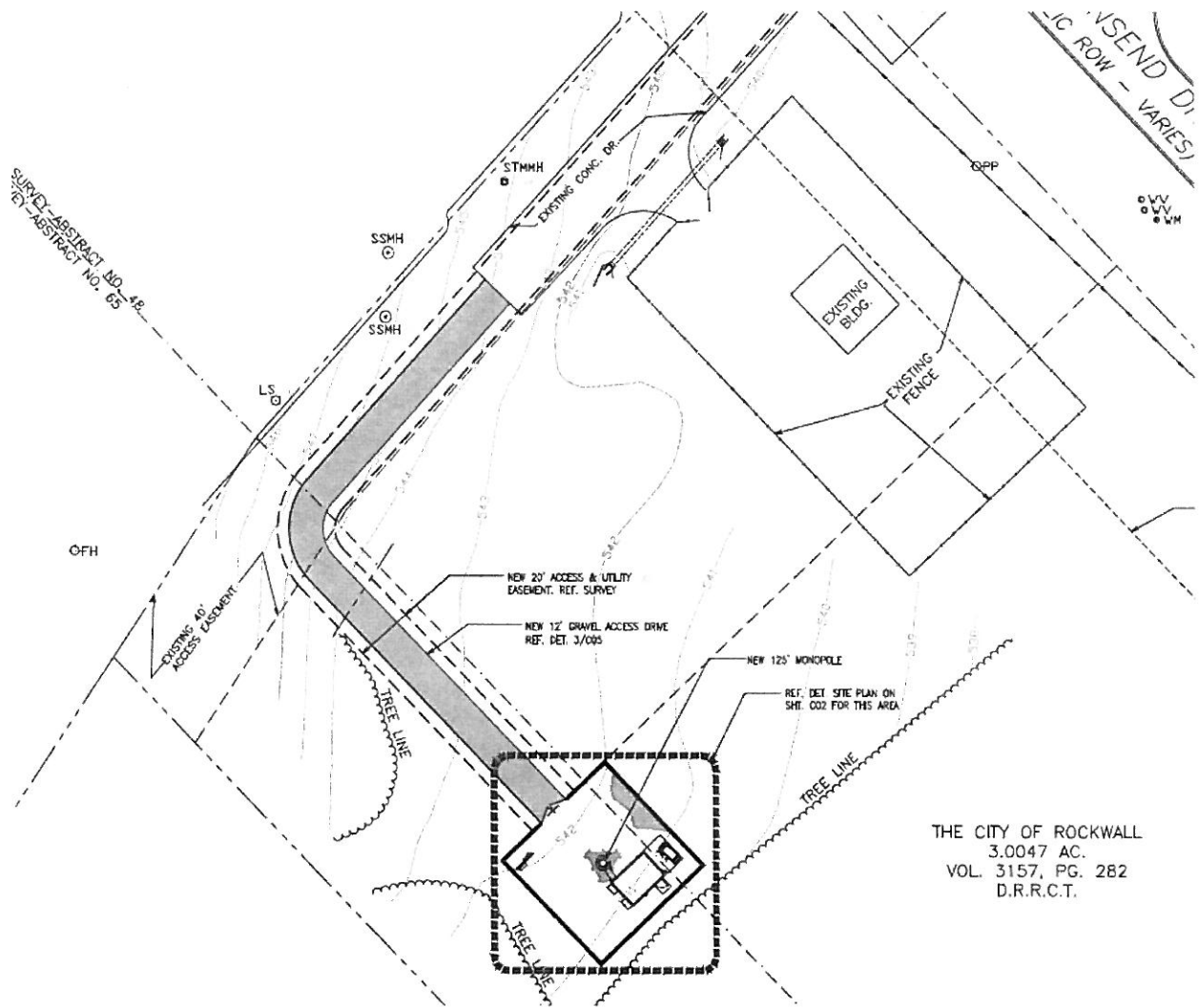
to the Land Lease Agreement dated _____, 20____, by and between City of Rockwall, as Landlord, and New Cingular Wireless PCS, LLC, a Delaware limited liability company, as Tenant. The Property is legally described as follows:

EXHIBIT 1

DESCRIPTION OF PREMISES

Page 2 of ____

The Premises is an approximate 2,500 square foot portion of the Property and is further described and/or depicted as follows:



Notes:

1. THIS EXHIBIT MAY BE REPLACED BY A LAND SURVEY AND/OR CONSTRUCTION DRAWINGS OF THE PREMISES ONCE RECEIVED BY TENANT.
2. ANY SETBACK OF THE PREMISES FROM THE PROPERTY'S BOUNDARIES SHALL BE THE DISTANCE REQUIRED BY THE APPLICABLE GOVERNMENTAL AUTHORITIES.
3. WIDTH OF ACCESS ROAD SHALL BE THE WIDTH REQUIRED BY THE APPLICABLE GOVERNMENTAL AUTHORITIES, INCLUDING POLICE AND FIRE DEPARTMENTS.
4. THE TYPE, NUMBER AND MOUNTING POSITIONS AND LOCATIONS OF ANTENNAS AND TRANSMISSION LINES ARE ILLUSTRATIVE ONLY. ACTUAL TYPES, NUMBERS AND MOUNTING POSITIONS MAY VARY FROM WHAT IS SHOWN ABOVE.

EXHIBIT 11

ENVIRONMENTAL DISCLOSURE

Landlord represents and warrants that the Property, as of the date of this Agreement, is free of hazardous substances except as follows:

1. NONE.

EXHIBIT 12

STANDARD ACCESS LETTER

[FOLLOWS ON NEXT PAGE]

[Landlord Letterhead]

DATE

Building Staff / Security Staff
City of Rockwall
385 South Goliad Street
Rockwall, TX 75229

Re: Authorized Access granted to AT&T

Dear Building and Security Staff,

Please be advised that we have signed a lease with AT&T permitting AT&T to install, operate and maintain telecommunications equipment at the property. The terms of the lease grant AT&T and its representatives, employees, agents and subcontractors (“representatives”) 24 hour per day, 7 day per week access to the leased area.

To avoid impact on telephone service during the day, AT&T representatives may be seeking access to the property outside of normal business hours. AT&T representatives have been instructed to keep noise levels at a minimum during their visit.

Please grant the bearer of a copy of this letter access to the property and to leased area. Thank you for your assistance.

Landlord Signature

EXHIBIT 24(b)

MEMORANDUM OF LEASE

[FOLLOWS ON NEXT PAGE]

MEMORANDUM OF LEASE

Prepared by:

David Prejean
Crafton Communications
1901 Royal Lane
Dallas, TX 75229

Return to:

Crafton Communications
1901 Royal Lane
Dallas, TX 75229

Re: Cell Site #: DXU3353; Cell Site Name: I30 E/Hwy 205
Fixed Asset Number: 12773670
State: Texas
County: Rockwall

**MEMORANDUM
OF
LEASE**

This Memorandum of Lease is entered into on this ____ day of _____, 20__, by and between City of Rockwall, having a mailing address of 385 South Goliad Street, Rockwall, TX 75087 (hereinafter referred to as "**Landlord**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 575 Morosgo Drive NE, Suite 13-F West Tower, Atlanta, GA 30324 (hereinafter referred to as "**Tenant**").

1. Landlord and Tenant entered into a certain Land Lease Agreement ("**Agreement**") on the ____ day of _____, 20__, for the purpose of installing, operating and maintaining a communications facility and other improvements. All of the foregoing is set forth in the Agreement.
2. The initial lease term will be five (5) years commencing on the Effective Date of the Agreement, with four (4) successive five (5) year options to renew.
3. The portion of the land being leased to Tenant and associated easements are described in **Exhibit 1** annexed hereto.
4. This Memorandum of Lease is not intended to amend or modify, and shall not be deemed or construed as amending or modifying, any of the terms, conditions or provisions of the Agreement, all of which are hereby ratified and affirmed. In the event of a conflict between the provisions of this Memorandum of Lease and the provisions of the Agreement, the provisions of the Agreement shall control. The Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, and assigns, subject to the provisions of the Agreement.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the day and year first above written.

"LANDLORD"
City of Rockwall

By: _____
Print Name: _____
Its: _____
Date: _____

"TENANT"

New Cingular Wireless PCS, LLC,
a Delaware limited liability company

By: AT&T Mobility Corporation
Its: Manager

By: _____
Print Name: _____
Its: _____
Date: _____

[ACKNOWLEDGMENTS APPEAR ON THE NEXT PAGE]

TENANT ACKNOWLEDGMENT

STATE OF _____ }

COUNTY OF _____ }

On the ____ day of _____, 20__, before me personally appeared _____, and acknowledged under oath that he/she is the _____ of AT&T Mobility Corporation, the Manager of New Cingular Wireless PCS, LLC, the Tenant named in the attached instrument, and as such was authorized to execute this instrument on behalf of the Tenant.

Notary Public: _____
My Commission Expires: _____

LANDLORD ACKNOWLEDGMENT

STATE OF _____ }

COUNTY OF _____ }

On the ____ day of _____ in the year 20__ before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public: _____
My Commission Expires: _____

EXHIBIT 1

DESCRIPTION OF PROPERTY AND PREMISES

Page 1 of _____

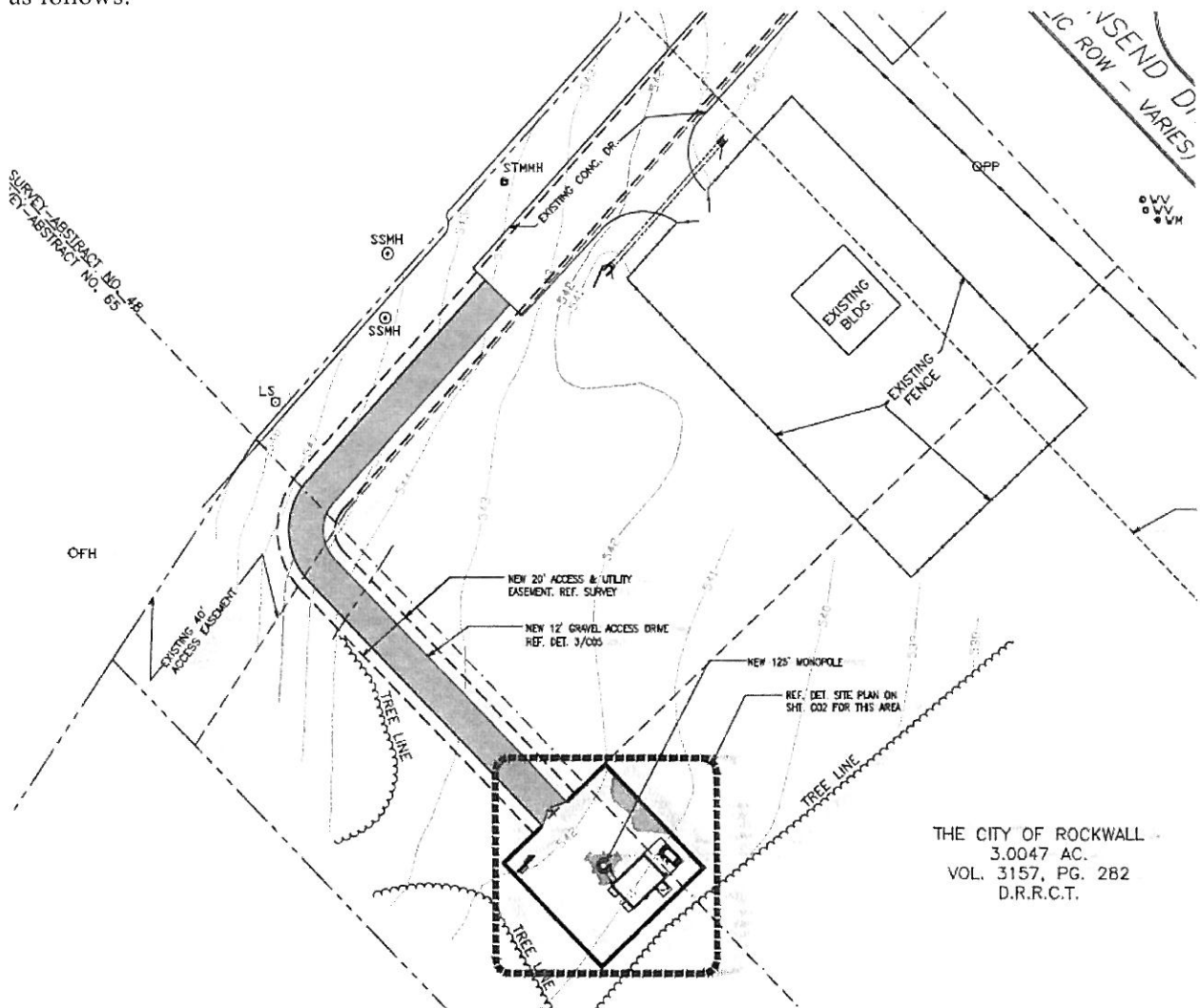
to the Memorandum of Lease dated _____, 20____, by and between City of Rockwall, as Landlord, and New Cingular Wireless PCS, LLC, a Delaware limited liability company, as Tenant.

The Property is legally described as follows:

EXHIBIT 1

Page 1 of _____

The Premises is an approximate 2,500 square foot portion of the Property and is further described and/or depicted as follows:



Proposed New Site DXU3353/DXL03353 – I-30/HWY 205

Introduction

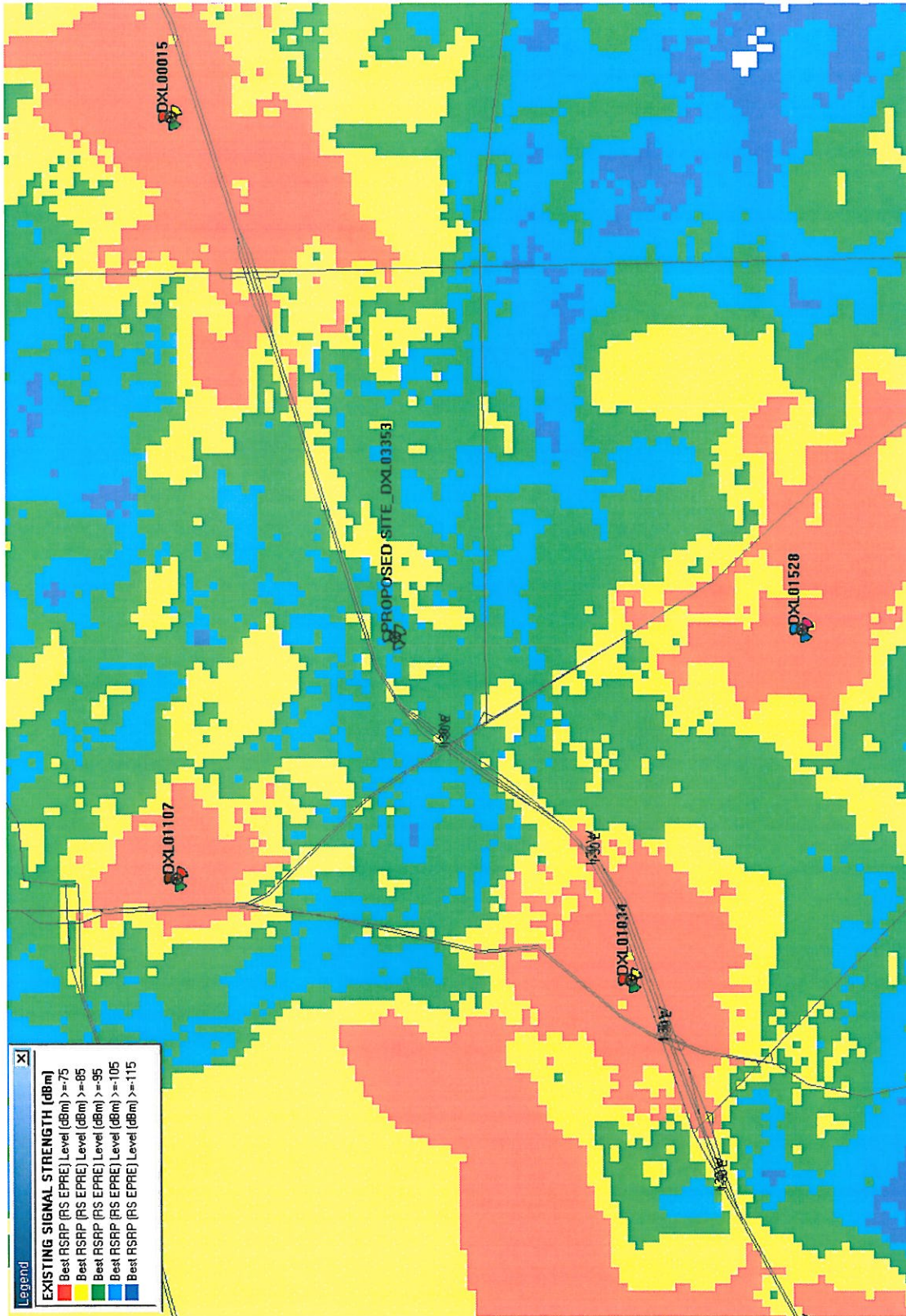
- The proposed new site DXU3353/DXL03353 is needed to provide improved wireless coverage in the Rockwall, TX area near the intersection of HWY I-30 and HWY 205.
- This is a high traffic area with many voice and data traffic users. The existing area sites are approaching maximum traffic utilization, and the best remedy is to add another 'capacity' site to alleviate the congestion.
- Adding new site DXU3353/DXL03353 brings additional capacity to the area and will reduce dropped calls, while improving call quality and data speeds.

DXU3353/DXL03353 – Satellite Map



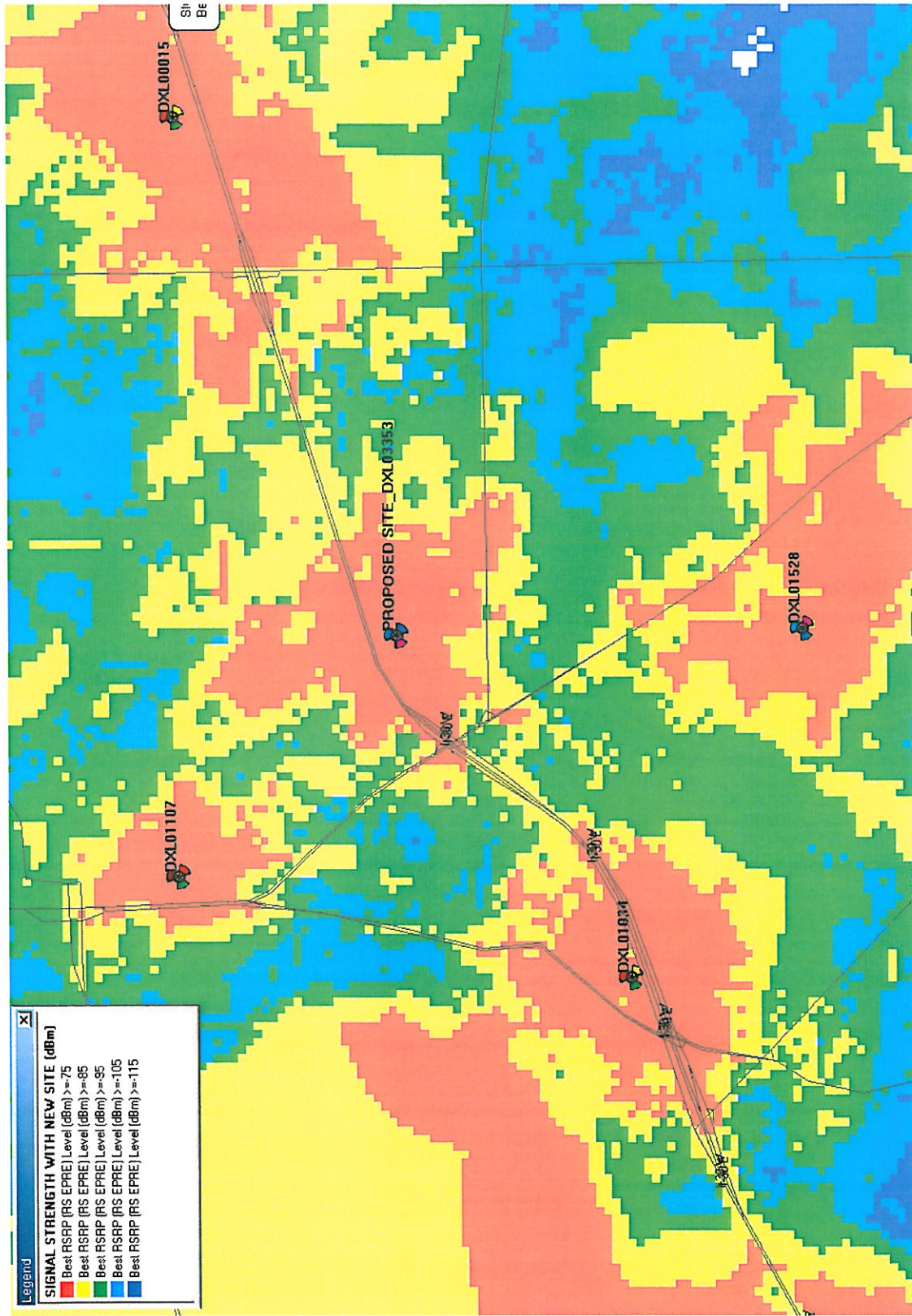
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Coverage from Existing Sites without New Site.



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 AT&T is a registered trademark of AT&T Knowledge Ventures.

Coverage with New Site DXU3353/DXL03353.





 **CELERIS GROUP**
 CONSULTING ENGINEERS
 2201 N. Collins St., Suite 125
 Arlington, Tx 76011
 Office: 817.446.1700
 Fax: 817.496.0895

DESCRIPTION
PHOTO SIM LOOKING NORTH TOWARD SITE (BEFORE)

SITE NAME
I-30 / HWY 205
 SITE NUMBER
DX3353

 **at&t**
 1801 VALLEY VIEW LANE
 FARMERS BRANCH, TX 75234



PROPOSED 120' MONOPOLE

 **CELERIS GROUP**
 CONSULTING ENGINEERS
 2201 N. Collins St., Suite 125
 Arlington, Tx 76011
 Office: 817.446.1700
 Fax: 817.496.0895

DESCRIPTION
 PHOTO SIM LOOKING NORTH TOWARD SITE (AFTER)

SITE NAME
 I-30 / HWY 205
 SITE NUMBER
 DX3353

 **at&t**
 1801 VALLEY VIEW LANE
 FARMERS BRANCH, TX 75234

REVISIONS	DATE
1	07/14/13
2	07/15/13
3	07/15/13
4	07/15/13
5	07/15/13
6	07/15/13
7	07/15/13
8	07/15/13
9	07/15/13
10	07/15/13



1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234



1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234

SITE NAME
I-30 E / MIMS ROAD

SITE NUMBER
DX3353

DESIGNED BY	CSM
CHECKED BY	ZC
DATE	10/9/2013
PROJECT NO.	101
TITLE SHEET	

APPROVALS

AT&T CONSTRUCTION MGR. _____
GOODMAN ENGINEER

GOODMAN CONSTRUCTION MGR. _____
CONTRACTOR

PROPERTY OWNER _____
CONTRACTOR

SHEET INDEX

NO.	DESCRIPTION	REV
T01	TITLE SHEET	0
N01	GENERAL NOTES	0
C01	SITE PLAN	0
C02	DETAIL SITE PLAN	0
C03	0 ELEVATION / ANTENNA ORIENTATION	0
C04	RFU INSTALLATION SCENARIOS	0
C05	0 ANTENNA MOUNT DETAIL	0
C06	RF PLUMBING DIAGRAM	0
C07	FENCE INSTALLATION DETAILS	0
S01	FOUNDATION PLAN	0
E01	ELECTRICAL SITE PLAN	0
E02	ELECTRICAL RISER DIAGRAM	0
E03	ELECTRICAL GROUNDING PLAN	0
E04	ELECTRICAL DETAILS	0
E05	ELECTRICAL DETAILS	0
E06	ELECTRICAL SPECIFICATIONS	0
SV1	SURVEY	0


REVISED FOR NEW RF

BUILDING CODES

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL AUTHORITIES HAVING JURISDICTION

- INTERNATIONAL BUILDING CODE 2 N/A
- NATIONAL ELECTRIC CODE 4 ANS/11A/EA-222
- CITY/COUNTY ORDINANCES

IF YOU DIG IN ANY STATE DIAL 811 FOR THE LOCAL 'ONE CALL CENTER' IT'S THE LAW



1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234

SITE NAME
I-30 E / MIMS ROAD

AT&T SITE NUMBER
DX3353


ATC SITE NUMBER
TBD

SITE ADDRESS
386 TL TOWNSEND DRIVE
ROCKWALL, TX 75087

(ROCKWALL COUNTY)

DESIGN TEAM

ENGINEER:
NAME: THE CELERIS GROUP, INC.
ADDRESS: 2201 N. GOLIAD ST., STE 125
CITY, STATE, ZIP: ARLINGTON, TX 76011
CONTACT: MARK STAPLETON
PHONE: 817-446-1700



10/9/2013

PROJECT INFORMATION

APPLICANT/LESSEE:
NAME: AT&T MOBILITY
ADDRESS: 1801 VALLEY VIEW LANE
CITY, STATE, ZIP: FARMERS BRANCH, TX 75234
CONTACT: _____
PHONE: _____

TOWER OWNER:
NAME: AMERICAN TOWER CORP.
ADDRESS: 10 PRESIDENTIAL WAY
CITY, STATE, ZIP: WOBURN, MA 01801
CONTACT: CHRIS PRESCOTT
PHONE: 877-518-6937

PROPERTY OWNER:
NAME: CITY OF ROCKWALL
ADDRESS: 385 SOUTH COLLAD STREET
CITY, STATE, ZIP: ROCKWALL, TX 75087
CONTACT: JOEY BOYD
PHONE: 972-771-7700
EMAIL: jboyd@rockwall.com

SCOPE OF WORK: NEW UNMANNED TELECOMMUNICATIONS FACILITY

COORDINATES:
LATITUDE: 32° 54' 43.2998" (NAD83)
LONGITUDE: -96° 26' 33.7818" (NAD83)
ANSL: 543.0' (NAVOD83)

JURISDICTION: CITY OF ROCKWALL

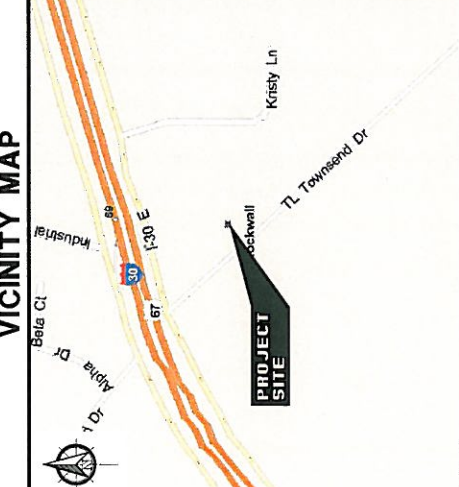
TELEPHONE CO.: AT&T

POWER CO.: FARMERS ELECTRIC COOP

DRIVING DIRECTIONS

FROM DOWNTOWN DALLAS TAKE I-30 AT EXIT 66, TAKE RAMP (RIGHT) ONTO I-30 E FRONTAGE ROAD TURN RIGHT (SOUTH-EAST) ONTO TL TOWNSEND DR. SITE IS ON THE LEFT HAND SIDE.

VICINITY MAP



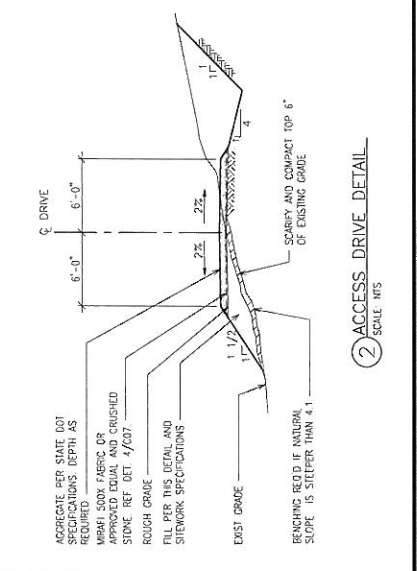
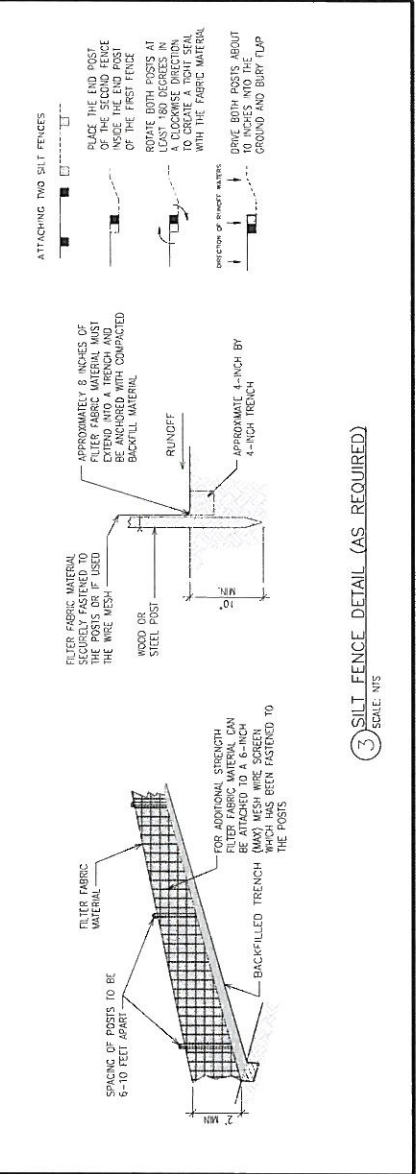
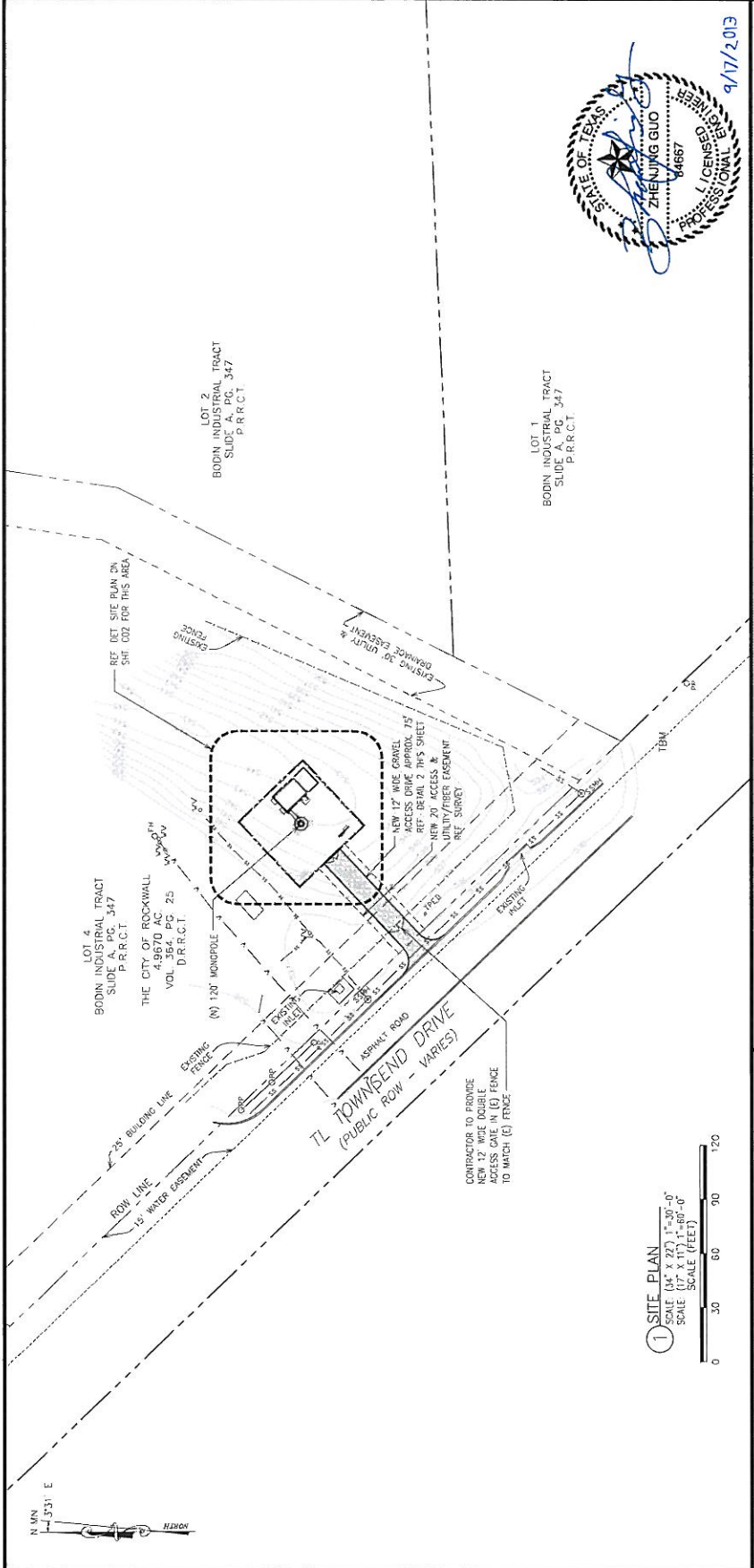
REVISIONS	DATE
DESIGN FOR CONSTRUCTION	8/14/13

CELERIS GROUP
CONSULTING ENGINEERS
 2701 N. Collins St., Suite 125
 Dallas, Texas 75206
 Phone: 972.466.1200
 Fax: 972.466.1956
 TX Reg. No. 13392

at&t
 1801 VALLEY VIEW LANE
 FARMERS BRANCH, TX 75234

SITE NAME
 I-30 E / NIMS ROAD
SITE NUMBER
 DX3353

DESIGNED BY	CSM
CHECKED BY	ZC
DATE	8/13
PROJECT NUMBER	1-2
SHEET NUMBER	1
SHEET TOTAL	C01



REVISONS	DATE
A	8/24/13
A	8/29/13

CELESTIS PROJECT NO. 13-4233



CELESTIS GROUP
CORPORATE OFFICES
2200 N. Central Expressway 1700
Arlington, TX 76010
Office: 817.456.1700
Fax: 817.456.0935
TX Firm Reg. # F-11392



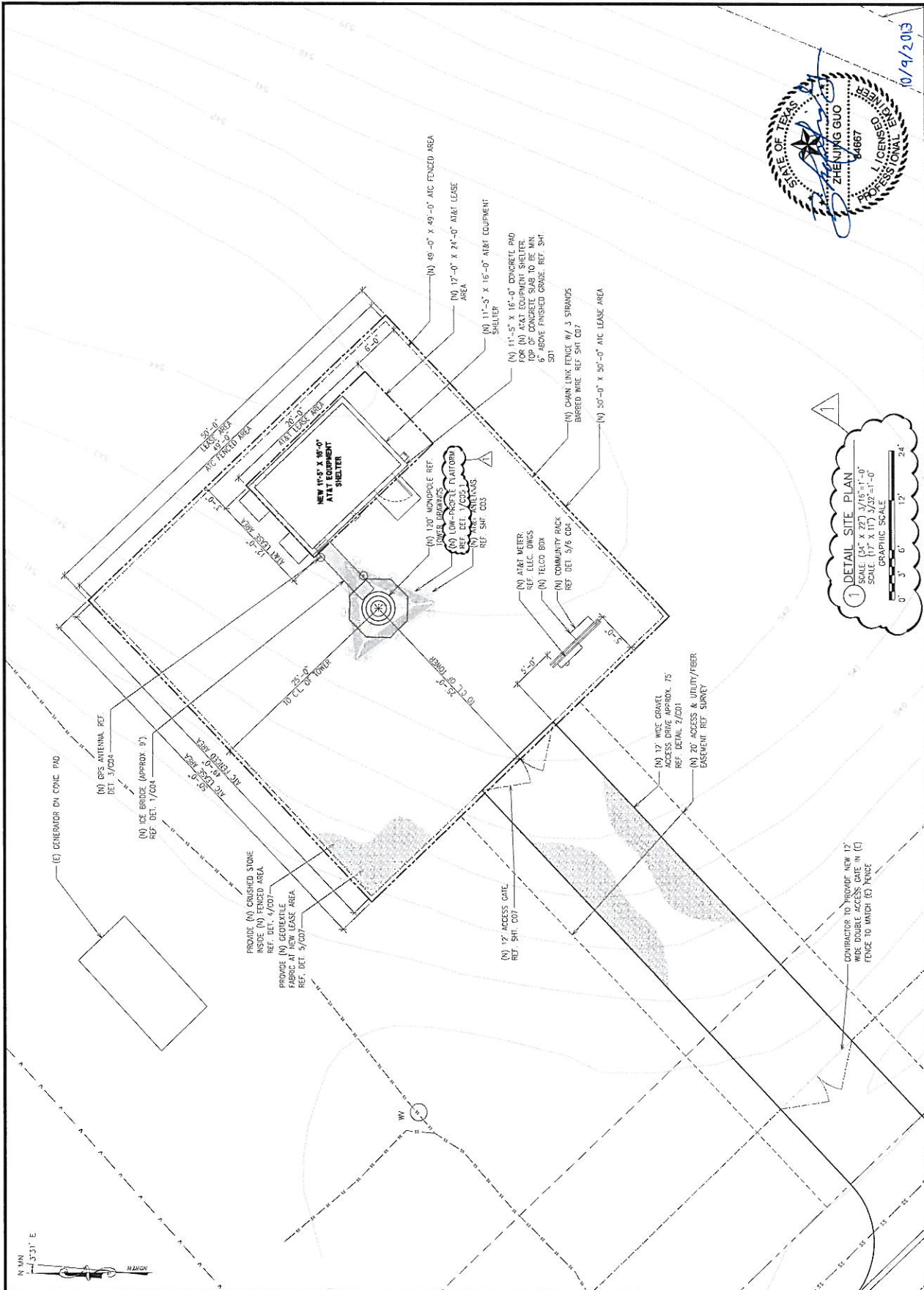
1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234

SITE VISIT

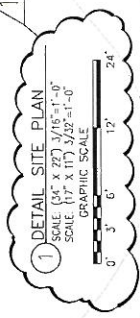
I-30 E / MIMS ROAD

SITE NUMBER:
DX3353

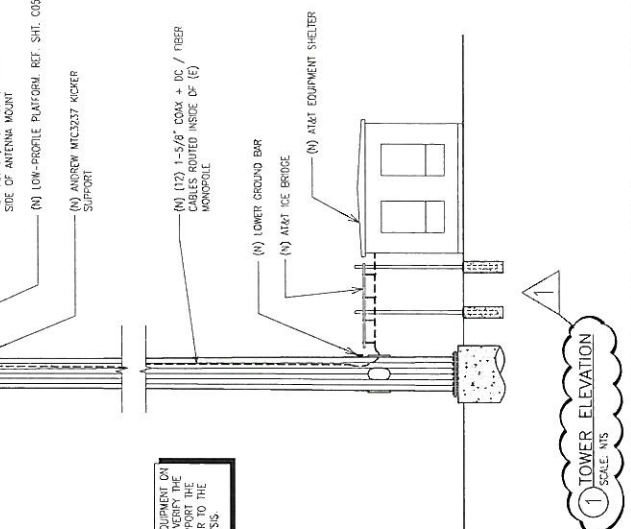
DRAWN BY:	CSM
CHECKED BY:	ZD
DATE:	10/9/13
SCALE:	1" = 3'
PROJECT NAME:	DETAIL SITE PLAN
SHEET NO.:	C02



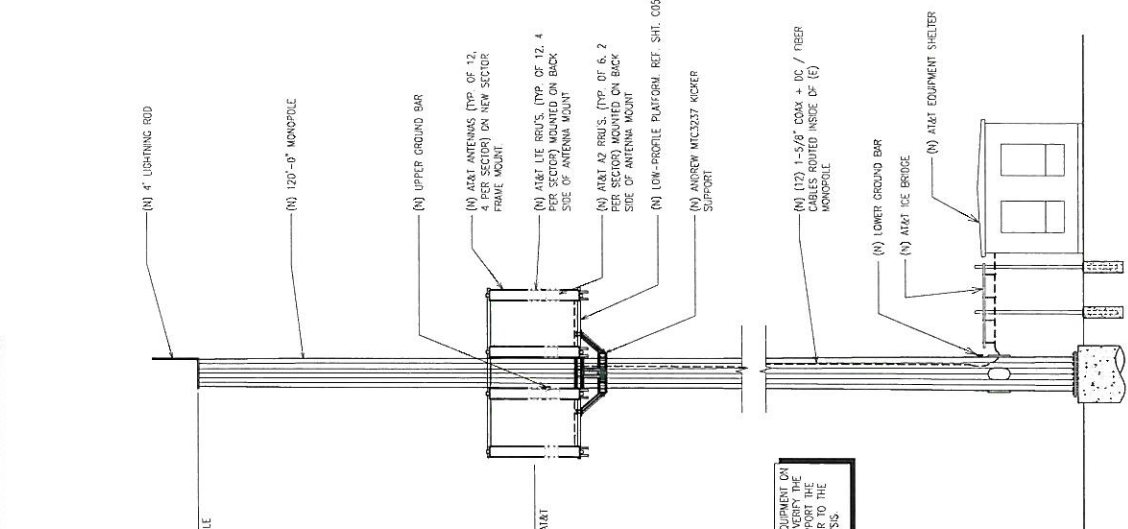
10/9/2013



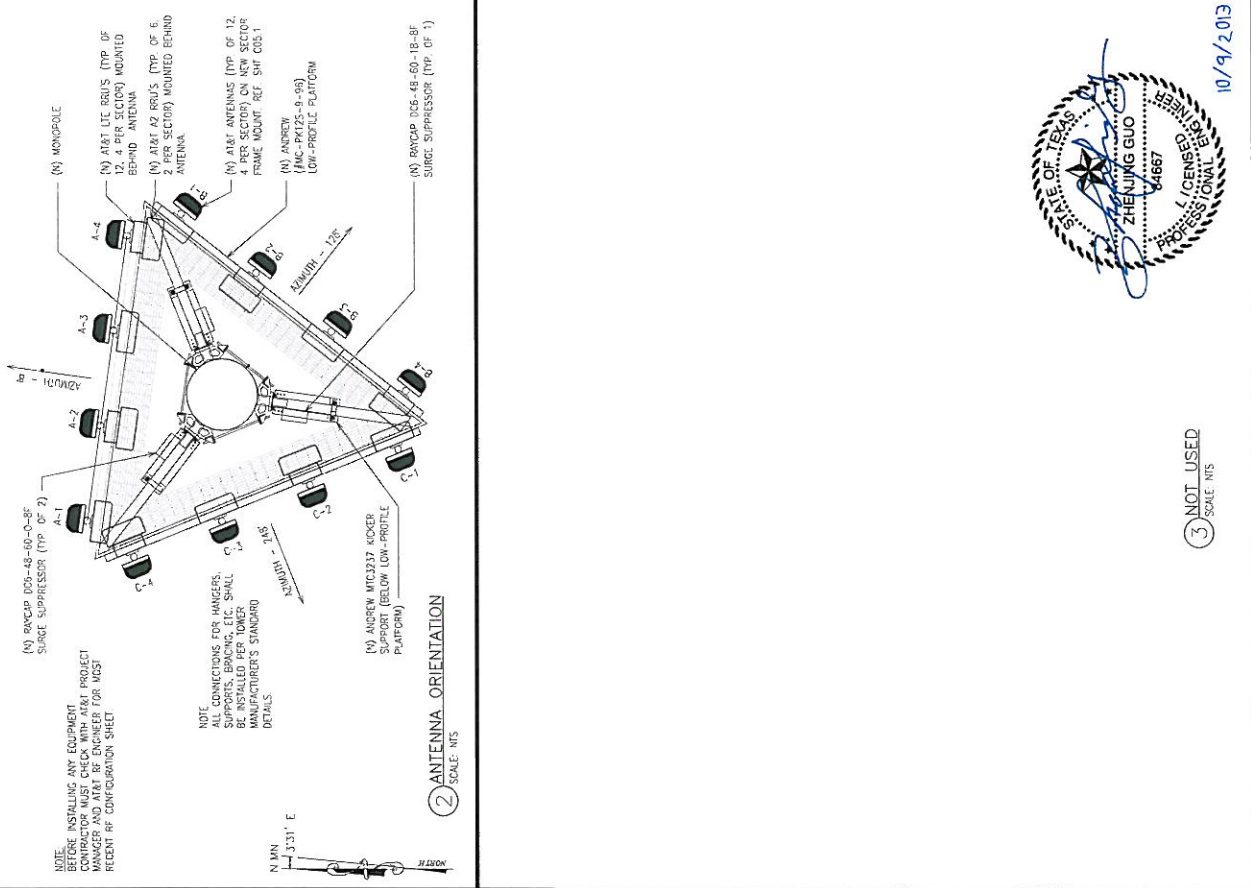
99 W:\P134933 - DX3353 I-30 E - Hwy 209\CP\134933 CP4.dwg Oct 09 2013 - 3:04pm csm



1 LOWER ELEVATION
SCALE: NTS



2 ANTENNA ORIENTATION
SCALE: NTS



3 NOT USED
SCALE: NTS



10/9/2013

REV	DESCRIPTION	DATE
A	ISSUED FOR CONSTRUCTION	09/24/13
B	ISSUED FOR CONSTRUCTION	10/07/13

CELERIS GROUP
 COMMUNICATIONS CONSULTANTS
 2201 Commerce Center Blvd., Ste 205
 Austin, TX 78701
 Office: (817) 456-7200
 Fax: (817) 456-0886
 TX Firm Reg. # F-13992

CELERIS PROJECT NO. 13-4533

at&t
 1801 VALLEY VIEW LANE
 FAYERS BRANCH, TX 75234

SITE NAME
I-30 E / MIMS ROAD

SITE NUMBER
DX3353

CAD FILE	
CAD DATE	ZS
DATE PLOTTED	10/09/13
DATE SCALE	AS SHOWN
DATE	10/9/2013
ELEVATION / ANTENNA ORIENTATION	
SHEET NO.	C03.0

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REVISIONS:	DATE:
DESIGN FOR CONSTRUCTION	04/14/11
ORDER FOR CONSTRUCTION	10/09/13

CELERIS GROUP
CORPORATE ENGINEERS

220 N. Collins St., Suite 125
Cedar Rapids, IA 52401
Phone: 319.246.1200
Fax: 319.246.6955
X-Fax: 319.246.13992

CELERIS PROJECT NO. 13-4533

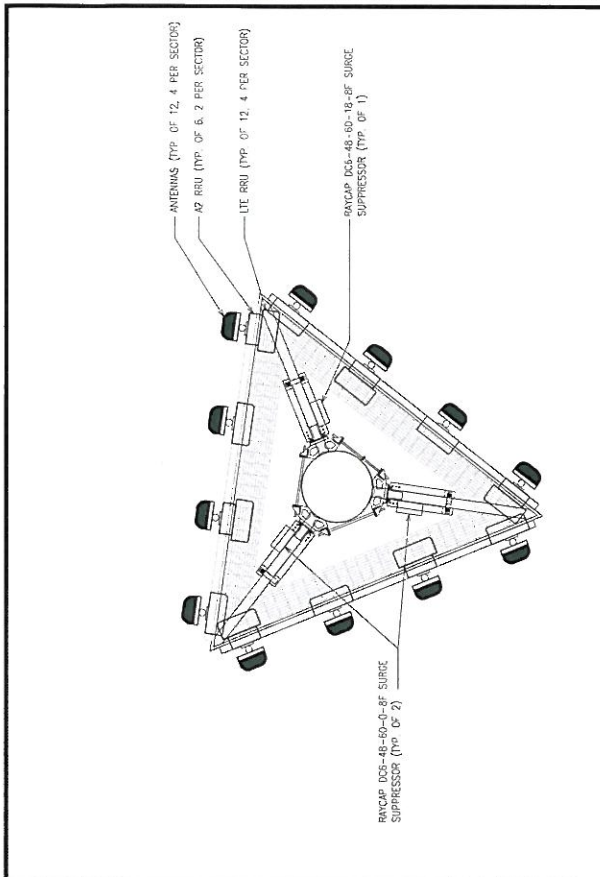
at&t

1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234

SITE NAME
I-30 E / MIMS ROAD

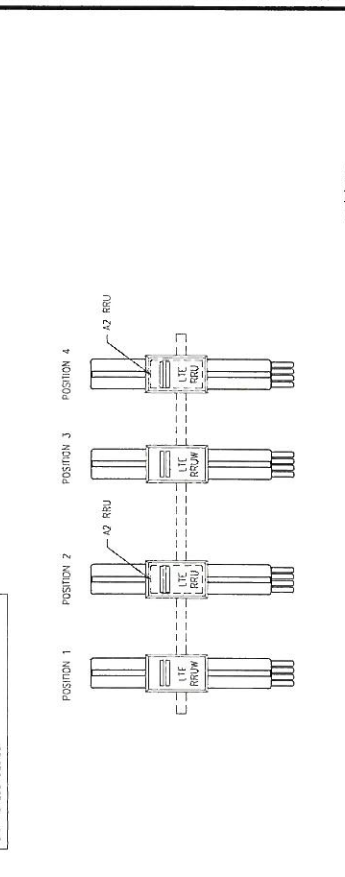
SITE NUMBER
DX3353

DESIGNED BY	CSJ
CHECKED BY	ZC
DATE	10/09/13
SCALE	AS SHOWN
PROJECT NO.	13-4533
SCHEMATIC	SCHEMATIC
SCALE	1"=40'
PROJECT NO.	C03.1



PLAN VIEW

NOTE:
ON T-BODY OR LOW-PROFILE PLATFORM APPLICATIONS, SQUARES CAN BE MOUNTED ON THE REAR OF THE TOWER STRUCTURE OR SQUARES BEING CLOSE TO TOWER STRUCTURE TO PROVIDE ACCESS TO ALL 3 SECTORS CAN ACCESS SQUARES.



ELEVATION VIEW - TYP. EACH SECTOR

CONFIGURATION AS VIEWED FROM INSIDE THE REAR OF THE TOWER (TOWER HEAD POINT OF VIEW)

1. ANTENNA CONFIGURATION
SCALE: NIS

2. TYPICAL RRU INSTALLATION
SCALE: NIS

10/9/2013



ANTENNA NUMBER	COAX COLOR CODE	ANTENNA INFO		AZIMUTH	ROD		ROD		ROD		COAX INFO	
		MAKE	MODEL		ELEC DOWNLVL	MECH DOWNLVL	ELEC DOWNLVL	MECH DOWNLVL	SIZE	LENGTH		
A-1	N/A	ANDREW	SNHH-1065C	8°	90°	0'	0'	0'	0'	0'	1-5/8"	SEE CABLE NOTE 1 & 2
A-2	RD/OR	ANDREW	SNHH-1065C	8°	90°	4'	0'	0'	0'	0'	1-5/8"	110±
A-3	N/A	ERICSSON	KRC-11B054-1	8°	90°	4'	0'	0'	0'	0'	SEE CABLE NOTE 1 & 2	
A-4	RD/BR	ANDREW	SNHH-1065C	8°	90°	4'	0'	0'	0'	0'	1-5/8"	110±
B-1	N/A	ANDREW	SNHH-1065C	128°	90°	0'	0'	0'	0'	0'	SEE CABLE NOTE 1 & 2	
B-2	BL/OR	ANDREW	SNHH-1065C	128°	90°	4'	0'	0'	0'	0'	1-5/8"	110±
B-3	N/A	ERICSSON	KRC-11B054-1	128°	90°	4'	0'	0'	0'	0'	SEE CABLE NOTE 1 & 2	
B-4	BL/BR	ANDREW	SNHH-1065C	128°	90°	4'	0'	0'	0'	0'	1-5/8"	110±
C-1	N/A	ANDREW	SNHH-1065C	248°	90°	0'	0'	0'	0'	0'	SEE CABLE NOTE 1 & 2	
C-2	GR/OR	ANDREW	SNHH-1065C	248°	90°	4'	0'	0'	0'	0'	1-5/8"	110±
C-3	N/A	ERICSSON	KRC-11B054-1	248°	90°	4'	0'	0'	0'	0'	SEE CABLE NOTE 1 & 2	
C-4	GR/BR	ANDREW	SNHH-1065C	248°	90°	4'	0'	0'	0'	0'	1-5/8"	110±

CABLE NOTE	TYPE OF CABLE	CABLE INFO.	QTY.	LENGTH
NOTE 1	FIBER	1/2"	2	110' ±
NOTE 2	DC POWER	1/2"	5	110' ±
NOTE 3	REF CABLE	3/8"	1	110' ±

NOTES:

- LENGTHS POSED ON THIS CHART ARE ESTIMATED FROM AVAILABLE INFORMATION
- TYPE AND SIZE OF THE ANTENNA CABLES ARE BASED ON THE ESTIMATED LENGTH OF THE CABLES. CONTRACTORS TO VERIFY ALL ACTUAL LENGTHS IN THE FIELD PRIOR TO INSTALLATION AND NOTIFY THE AT&T FIELD ENGINEER FOR VERIFICATION OF SIZES OF CABLES.
- CONTRACTOR TO PROVIDE AS-BUILTS FOR THE LENGTH OF CABLES UPON COMPLETION OF INSTALLATION.

1. ANTENNA CONFIGURATION
SCALE: NIS

2. TYPICAL RRU INSTALLATION
SCALE: NIS

REVISING	DATE
ISSUED FOR CONSTRUCTION	09/17/13

CELERIS PROJECT NO. 13-4933



CELERIS GROUP
 CONSULTING ENGINEERS
 2201 North Loop West, Suite 120
 Dallas, Texas 75201
 Office: 817.466.1700
 Fax: 817.466.1895
 M-F 8:00am - 5:00pm

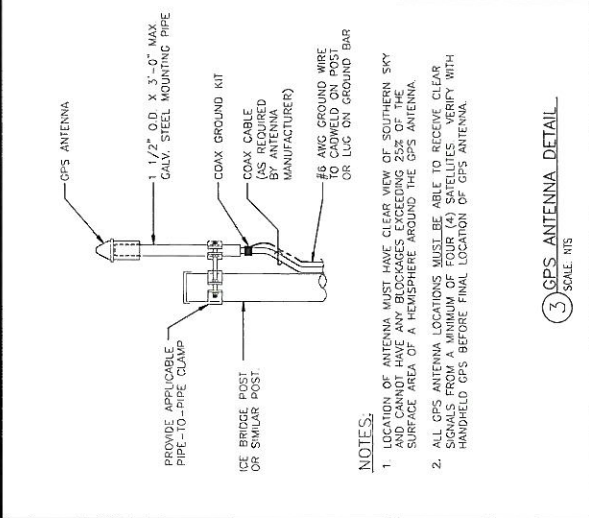
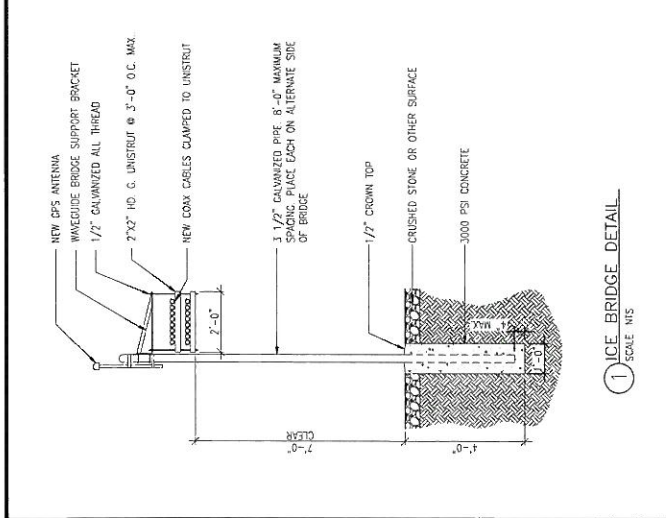
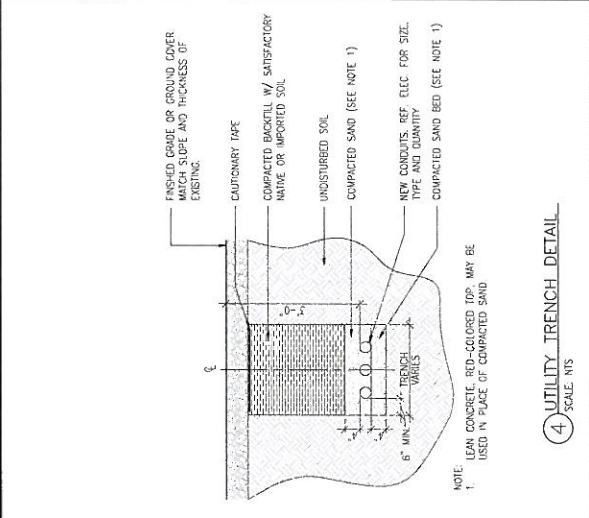
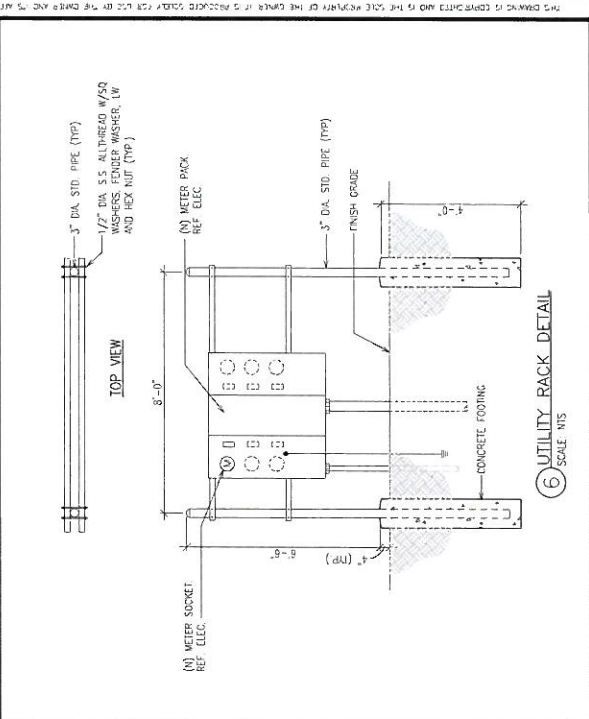
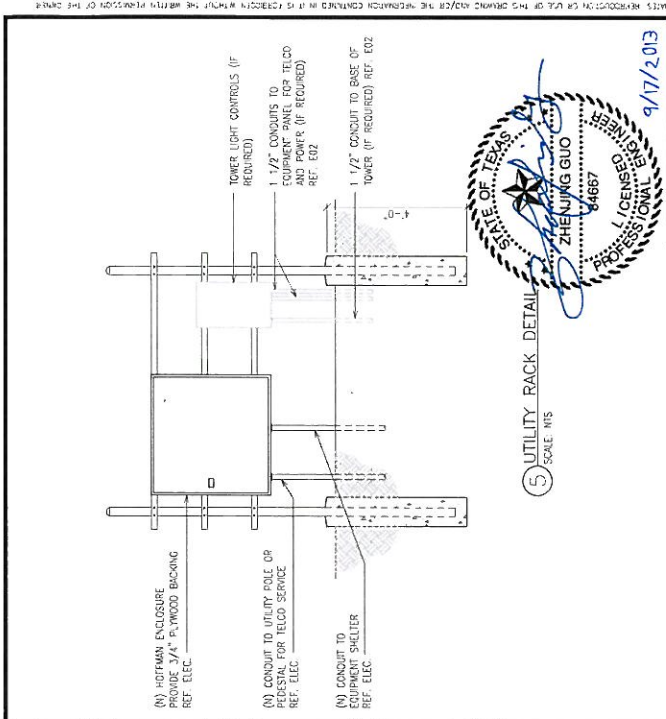



1801 VALLEY VIEW LANE
 FARMERS BRANCH, TX 75234

SITE NAME
I-30 E / MINNS ROAD

SITE NUMBER
DX3353

DATE PLOT	09/17/13
DRAWN BY	RL
CHECKED BY	RL
DATE PLOT	09/16/13
DRAWN BY	RL
CHECKED BY	RL
DATE PLOT	09/16/13
DRAWN BY	RL
CHECKED BY	RL
SHEET NO.	C04



REVISIONS	DATE
DESIGN FOR CONSTRUCTION	06/14/13
AS-BUILT FOR CONSTRUCTION	10/09/13

CELERIS GROUP
 CONSULTING ENGINEERS
 2701 N. Collins St., Suite 1720
 Dallas, Texas 75206
 Office: (817) 464-1370
 Fax: (817) 464-6276
 TXFirmReg # F 13792

CELERIS PROJECT NO. 13-4233

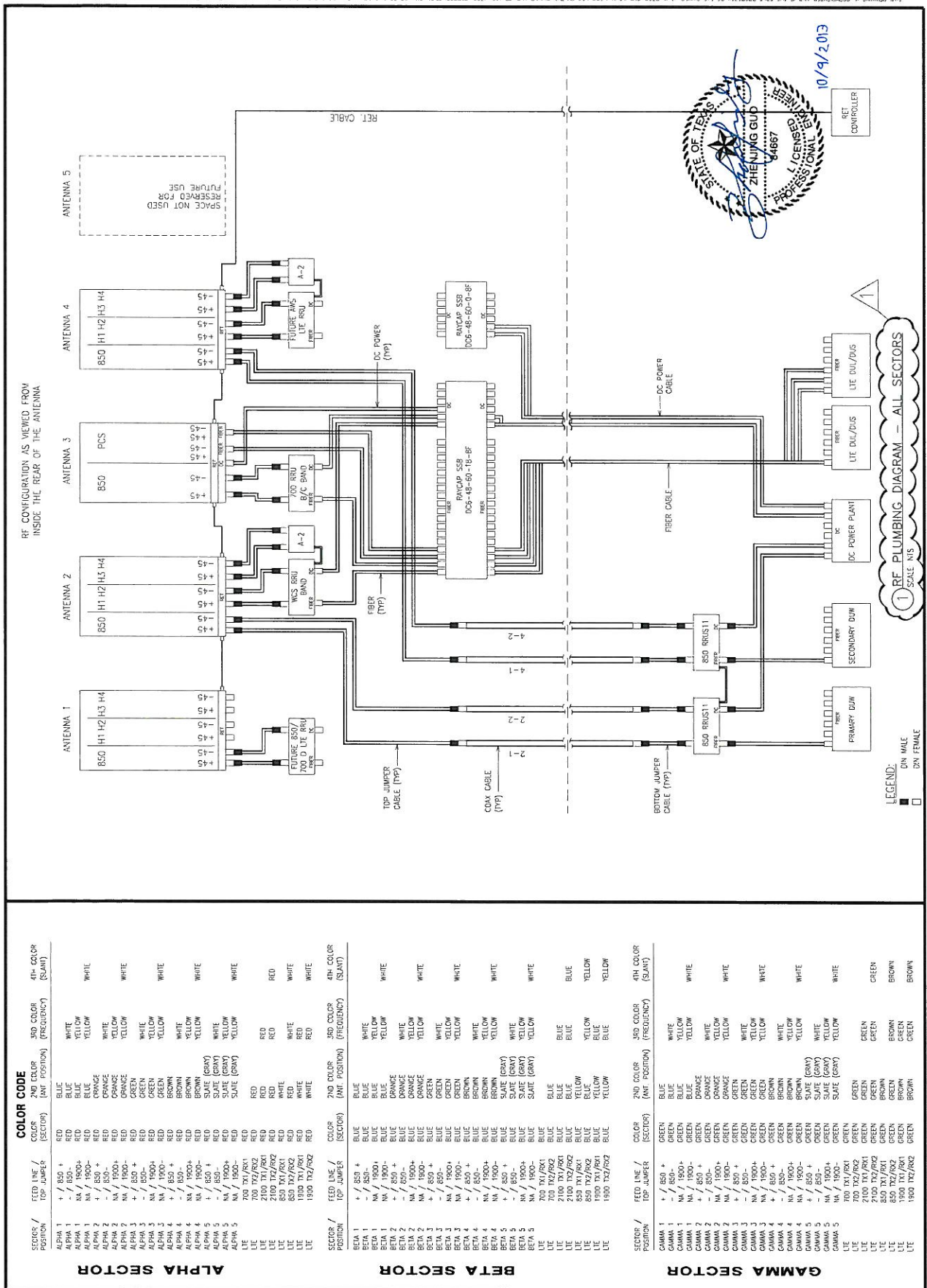
at&t

1801 VALLEY VIEW LANE
 FARMERS BRANCH, TX 75234

SITE NAME:
I-30 E / MIMS ROAD

DIE NUMBER:
DX3353

DESIGN BY	CSM
DATE	10/09/13
SCALE	1" = 12'
PROJECT NAME	RF PLUMBING DIAGRAM
SHEET NO.	C06



ALPHA SECTOR

SECTOR / POSITION	FEED LINE / TOP JUMPER	COLOR (SECTOR)	2ND COLOR (ANT. POSITION)	3RD COLOR (FREQUENCY)	4TH COLOR (SLANT)
ALPHA 1	+ / 850 +	RED	BLUE	WHITE	WHITE
ALPHA 1	- / 850 -	RED	BLUE	YELLOW	WHITE
ALPHA 2	+ / 850 +	RED	ORANGE	WHITE	WHITE
ALPHA 2	- / 850 -	RED	ORANGE	YELLOW	WHITE
ALPHA 3	+ / 850 +	RED	GREEN	WHITE	WHITE
ALPHA 3	- / 850 -	RED	GREEN	YELLOW	WHITE
ALPHA 4	+ / 850 +	RED	BROWN	WHITE	WHITE
ALPHA 4	- / 850 -	RED	BROWN	YELLOW	WHITE
ALPHA 5	+ / 850 +	RED	SLATE (GRAY)	WHITE	WHITE
ALPHA 5	- / 850 -	RED	SLATE (GRAY)	YELLOW	WHITE
L1E	700 TX1/RX1	RED	RED	RED	RED
L1E	2100 TX1/RX1	RED	RED	RED	RED
L1E	850 TX2/RX2	RED	WHITE	WHITE	WHITE
L1E	1900 TX1/RX1	RED	WHITE	RED	WHITE
L1E	1900 TX2/RX2	RED	WHITE	RED	WHITE

BETA SECTOR

SECTOR / POSITION	FEED LINE / TOP JUMPER	COLOR (SECTOR)	2ND COLOR (ANT. POSITION)	3RD COLOR (FREQUENCY)	4TH COLOR (SLANT)
BETA 1	+ / 850 +	BLUE	BLUE	WHITE	WHITE
BETA 1	- / 850 -	BLUE	BLUE	YELLOW	WHITE
BETA 2	+ / 850 +	BLUE	ORANGE	WHITE	WHITE
BETA 2	- / 850 -	BLUE	ORANGE	YELLOW	WHITE
BETA 3	+ / 850 +	BLUE	GREEN	WHITE	WHITE
BETA 3	- / 850 -	BLUE	GREEN	YELLOW	WHITE
BETA 4	+ / 850 +	BLUE	BROWN	WHITE	WHITE
BETA 4	- / 850 -	BLUE	BROWN	YELLOW	WHITE
BETA 5	+ / 850 +	BLUE	BROWN (GRAY)	WHITE	WHITE
BETA 5	- / 850 -	BLUE	BROWN (GRAY)	YELLOW	WHITE
L1E	700 TX1/RX1	BLUE	BLUE	BLUE	BLUE
L1E	2100 TX2/RX2	BLUE	BLUE	BLUE	BLUE
L1E	850 TX1/RX1	BLUE	YELLOW	YELLOW	YELLOW
L1E	1900 TX1/RX1	BLUE	YELLOW	BLUE	YELLOW
L1E	1900 TX2/RX2	BLUE	YELLOW	BLUE	YELLOW

GAMMA SECTOR

SECTOR / POSITION	FEED LINE / TOP JUMPER	COLOR (SECTOR)	2ND COLOR (ANT. POSITION)	3RD COLOR (FREQUENCY)	4TH COLOR (SLANT)
GAMMA 1	+ / 850 +	GREEN	BLUE	WHITE	WHITE
GAMMA 1	- / 850 -	GREEN	BLUE	YELLOW	WHITE
GAMMA 2	+ / 850 +	GREEN	ORANGE	WHITE	WHITE
GAMMA 2	- / 850 -	GREEN	ORANGE	YELLOW	WHITE
GAMMA 3	+ / 850 +	GREEN	GREEN	WHITE	WHITE
GAMMA 3	- / 850 -	GREEN	GREEN	YELLOW	WHITE
GAMMA 4	+ / 850 +	GREEN	BROWN	WHITE	WHITE
GAMMA 4	- / 850 -	GREEN	BROWN	YELLOW	WHITE
GAMMA 5	+ / 850 +	GREEN	BROWN (GRAY)	WHITE	WHITE
GAMMA 5	- / 850 -	GREEN	BROWN (GRAY)	YELLOW	WHITE
L1E	700 TX1/RX1	GREEN	GREEN	GREEN	GREEN
L1E	2100 TX2/RX2	GREEN	GREEN	GREEN	GREEN
L1E	850 TX1/RX1	GREEN	BROWN	BROWN	BROWN
L1E	1900 TX1/RX1	GREEN	BROWN	GREEN	BROWN
L1E	1900 TX2/RX2	GREEN	BROWN	GREEN	BROWN

NOTES: BY REFERENCE

- TRANSFER SWITCH ON EQUIPMENT SHELTER.
- PROVIDE "INTERSECT" PANEL, 200A, 145K, 240V COMBINATION MANUAL TRANSFER SWITCH, SOURCE PROTECTOR, PANELBOARD "X" AND REFER TO PANEL SCHEDULE FOR CIRCUIT BREAKERS.
- REFER TO GROUND ROD WITH ACCESS AREA DETAIL 2/E04.
- NEW 200A 145K 240/120V METER SOCKET IN NEW METER BASE BY ELECTRIC SERVICE PROVIDER NEMA 3R.
- VERIFY ACTUAL MOUNTING LOCATION WITH AT&T WIRELESS CONSTRUCTION MANAGER.
- NEW SERVICE ENTRANCE RATED FUSED 145K 240/120V DISCONNECT SWITCH IN NEMA 3R ENCLOSURE WITH COPPER SOLID NEUTRAL AND GROUNDING BAR.
- 5/8" DIAMETER X 10' COPPER CLAD GROUND RODS DRIVE TOP TO 18" BELOW SURFACE. INSTALL GROUND ROD INSPECTION PORT (RE: 3/E04).
- GROUNDING ELECTRODE CONDUCTOR (#2 CU) IN 1" PROTECTIVE CONDUIT.
- NOT USED.
- 2" IMC/UMC WITH CAT 5 CABLE, CONTRACTOR TO COORDINATE W/ AT&T CONSTRUCTION MANAGER FOR QUANTITY.
- PROVIDE 1-3/8" 1/220 TYPE THWN IN 2" CONDUIT (W/C ABOVE GRADE, SCHED 40 PVC BELOW GRADE).



NO	TRM#	SERVICES		CABINET INTERSECT		METER SOCKET		METER SOCKET		SERVICES	TRM#	NO
		A	B	A	B	A	B	A	B			
1	20	RECIPER #1	1920	1920	1920	1920	1920	1920	1920	INTERIOR LIGHTS	20	2
3	20	RECIPER #2	1920	1920	1920	1920	1920	1920	1920	RECEPAGES	20	4
5	20	RECIPER #3	1920	1920	1920	1920	1920	1920	1920	A/C UNIT #1	20	6
7	20	RECIPER #4	1920	1920	1920	1920	1920	1920	1920	A/C UNIT #2	20	8
9	20	RECIPER #5	1920	1920	1920	1920	1920	1920	1920	A/C UNIT #2	20	10
11	20	RECIPER #6	1920	1920	1920	1920	1920	1920	1920	SPACE	20	12
13	20	RECIPER #7	1920	1920	1920	1920	1920	1920	1920	SPACE	20	14
15	20	RECIPER #8	1920	1920	1920	1920	1920	1920	1920	SPACE	20	16
17	↓	SPACE	↓	↓	↓	↓	↓	↓	↓	SPACE	↓	18
29	↓	SPACE	↓	↓	↓	↓	↓	↓	↓	SPACE	↓	30

SYMBOLS LIST AND ABBREVIATIONS

---	DIRECT BURIED BARE GROUND WIRE
---	UNDERGROUND ELECTRICAL CONDUIT AND FEEDER
---	UNDERGROUND TELEPHONE CO. CONDUIT TO TELCO DEMARK POINT
---	GROUNDING RING
---	CONNECTION (C/WELDED OR EXOTHERMIC WELD TO STRUCTURE OR DEVICE)
---	GROUNDING PORT, SEE DETAIL 2 SHEET E04
---	GROUNDING POINT, SEE GROUNDING PLAN
---	CONNECTION TO GROUND RING OR GROUND ROD EXOTHERMIC WELD OR AS REQUIRED BY AUTHORITY HAVING JURISDICTION
---	PULL BOX NOMINAL 24"x24"x36" DEEP (WITH TRAFFIC LD WHERE VEHICULAR TRAFFIC IS LIKELY)
---	INDICATES 2 HOT, 1 NEUTRAL, & 1 GROUND IN CONDUIT
---	A.H.J. AUTHORITY HAVING JURISDICTION
---	CM CONSTRUCTION MANAGER OR AGENT FOR AT&T

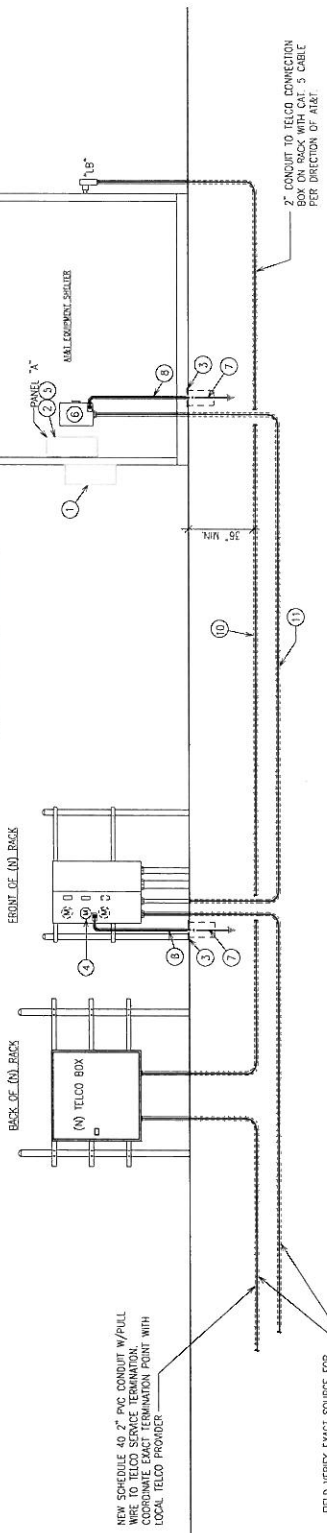
GENERAL NOTES:

- REFER TO GENERAL NOTES SHEET E01 FOR SITE COORDINATION REQUIREMENTS.
- COORDINATE WITH CONSTRUCTION MANAGER TO OBTAIN CURRENT APPLICABLE TOWER GROUNDING REQUIREMENTS FROM AT&T WIRELESS.
- USE THINKEE COPPER (SOLID) FOR EXTERIOR GROUNDING (TYPICALLY #2 OR AS NOTED). USE STRANDED COPPER WIRE FOR GROUNDING WHERE NOT EXPOSED AND NOT IN CONTACT WITH EARTH (SEE NOTE 4 BELOW).
- BURY ALL BARE GROUND WIRES 30" BELOW GRADE. LOCATE NO CLOSER THAN 3" FROM FENCE OR GROUND TIE POINTS. SLEEVE ALL FOUNDATIONS. C/WELDED AND TEST CONDUCTIVITY OF ALL GROUND TIE POINTS.
- TO MINIMIZE LIGHTNING DAMAGE, NO SHARP BENDS PERMITTED IN ANY WIRING, INCLUDING GROUNDING.
- GROUND RODS TO BE COPPER CLAD STEEL 5/8" DIAMETER X 10' LONG WITH TOPS BURIED 18" BELOW SURFACE. GROUND RODS TO BE SPACED 10' ON CENTER ALONG THE GROUND RING.
- PROVE AND EPOXY PRIME ALL EXPOSED CONDUIT TO MATCH EXTERIOR OF EQUIPMENT BUILDING.
- ELECTRICAL CONTRACTOR SHALL CONNECT EXTERIOR GROUNDING WIRE TO GROUND RING INSIDE EQUIPMENT BUILDING. TOWER CONTRACTOR SHALL MAKE ALL ABOVE GROUND CONNECTIONS TO TOWER BUS BARS, AND W/REGULATED BRIGGS AT TIME OF CONNECTION TO TOWER. ONE CONNECTION PER TOWER. ALL CONNECTIONS SHALL BE MECHANICAL TYPE. ALL OTHERS SHALL BE C/WELDED. (SEE NOTE 10 BELOW).
- CM, CONTRACTOR CONTRACTORS SHALL BURY ALL GROUND BARS. CIVIL CONSTRUCTION CONTRACTOR SHALL C/WELDED PROVIDE FOR ALL ABOVE GROUND CONNECTIONS IN THE FORM OF GROUND RINGS INSTALLATION.
- PROTECT AND SUPPORT ALL WIRING SUCH THAT IT WILL NOT VIBRATE AGAINST OTHER METALLIC OBJECTS AND SUCH THAT THERE ARE NO SHARP BENDS (NOMINAL RADIUS 6" MINIMUM). ALL WIRING SHALL BE PROTECTED BY CONDUIT. MULTIPLE C/WELDED CONNECTIONS, IT MAY BE PERMISSIBLE TO MECHANICALLY BOLT A BUSS BAR TO GROUND OR TO SUPPORT STRUCTURE.

NOTES:

- VERIFY ALL EXISTING UNDERGROUND UTILITIES BEFORE TRENCHING.
- ELECTRICAL CONTRACTOR SHALL CONTACT POWER CO. & TELE. CO. & VERIFY EXACT ROUTING/SIZES & CONDITIONS BEFORE TRENCHING.
- INSTALL ALL CONDUITS & EQUIPMENT AS SPECIFIED BY POWER CO. & TELE. CO.

NOTE: IF IT IS DETERMINED THAT FIBER WILL BE BROUGHT AND SITE, REFER TO CIRCUITS ON SHEET E02.



1 RISER DIAGRAM
SCALE: NTS

REVISIONS:	DATE:
ISSUED FOR CONSTRUCTION	09/16/13

CELERIS GROUP
CORPORATE ELECTRICAL
2201 N. Collins St., Suite 125
Cirene, TX 75824
Office: 817.466.1700
Fax: 817.466.0895

Torres Engineering Services, Inc.
8237 Debafield Dr
Ft. Worth, Texas 76131
(817) 556-0848
Registration No. 23446

at&t

1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234

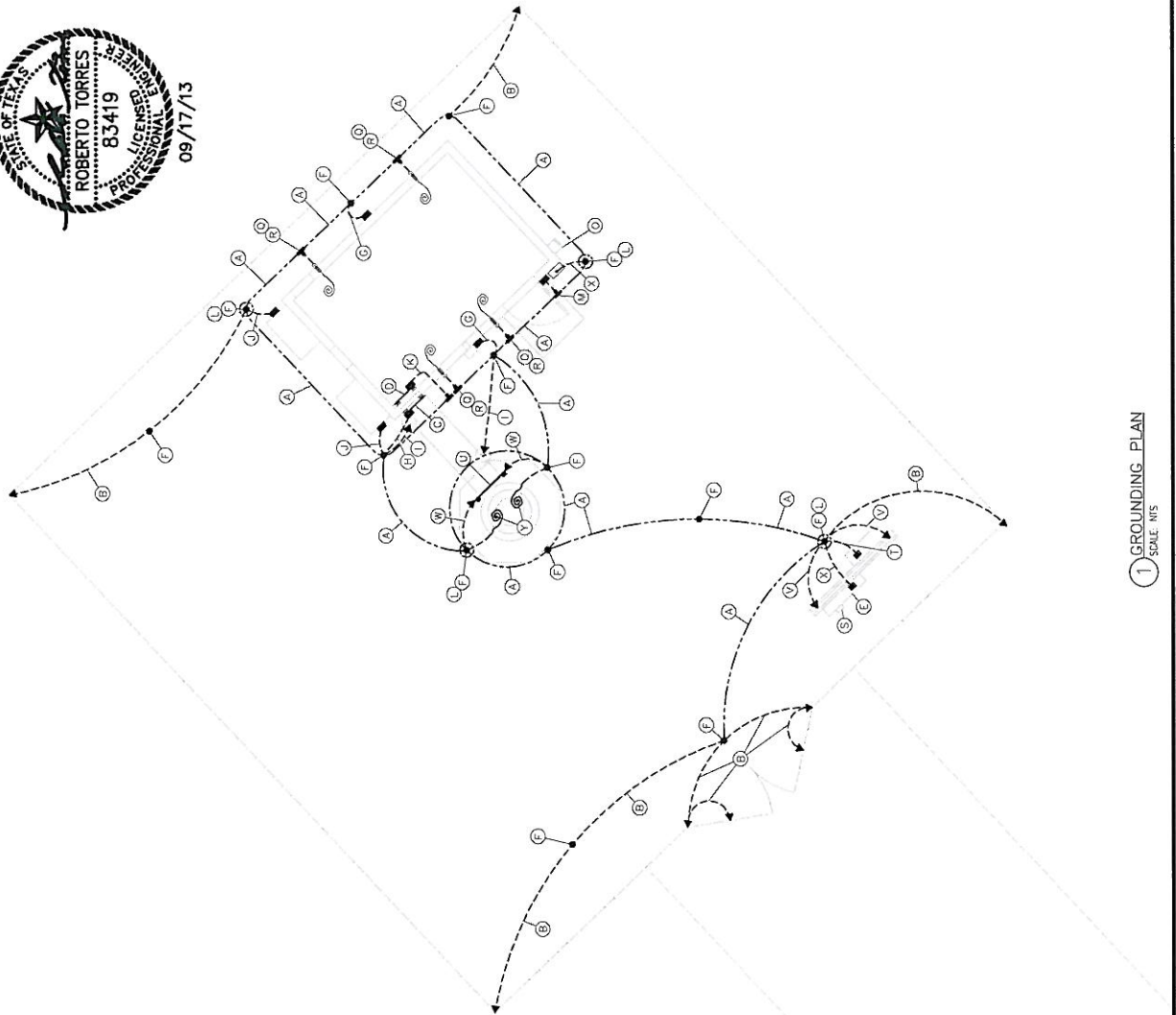
SITE NAME:	1-30 E / MINS ROAD
SITE NUMBER:	DX3553

DESIGN BY:	CSV
CHECK BY:	RT
DATE:	09/16/13
PROJECT NO.:	1-2
SHEET NO.:	3-4
ELECTRICAL RISER DIAGRAM	
E02	

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NOTES: REFERENCED TO GROUNDING PLAN

- A #2 AWG SOLID TINNED COPPER GROUND WIRE 30" MINIMUM BELOW GRADE. DOWNED TO EACH GROUND ROD SHOWN. LOCATE 24" MINIMUM FROM NEW BUILDING FOUNDATION.
- B #2 AWG SOLID TINNED COPPER GROUND WIRE 30" BELOW GRADE FOR CONNECTION TO FENCE POSTS.
- C ANTENNA GROUND BAR ON EXTERIOR OF BUILDING. VERIFY EXACT LOCATION WITH A&T WIRELESS CONSTRUCTION. #10 PERMITS TO BE USED FOR ALL ANTENNA GROUND BARS. #10 COPPER Braid SHALL BE MOUNTED BELOW THE BOTTOM CABLE ENTRANCE FOR SITES DESTINATED TO INCLUDE MICROWAVE EQUIPMENT. THERE SHALL BE A SECOND GROUND Braid BAR MOUNTED BELOW THE TOP ENTRANCE PORT. EACH Braid BAR SHALL BE INDIVIDUALLY CONNECTED DIRECTLY TO THE BUILDING'S GROUND RING SYSTEM WITH SEPARATE #2 AWG SOLID TINNED COPPER GROUND WIRES.
- D CONNECT TO EXISTING OR PROVIDE AND INSTALL NEW ANTENNA GROUND BAR AT ACTIVE COAX ENTRANCE INTO CELL BUILDING AND OTHER LOCATIONS REQUIRED BY A&T WIRELESS. MOUNT ON WALL WITH INSULATORS. VERIFY EXACT MOUNTING LOCATION WITH A&T WIRELESS. PROVIDE AND INSTALL #10 COPPER Braid BAR WITH #10 COPPER WIRE ATTACHED TO BOND ADJACENT TO THIS GROUND BAR.
- E NEW MULTI-GANG METER "M&C" REF. ELEC. RISER ON SHI. E02.
- F 5/8" DIAMETER X 15' COVERED PLUS GROUND ROD. BOND TO 18" BELOW SURFACE. REFER TO 2/6(A) WHERE LOCATED. AT GROUND RING EXTERNALLY SPACE GROUND RODS SIMILAR TO THAT SHOWN BELOW BUT TYPICALLY TWICE THE GROUND ROD LENGTH BUT NO MORE THAN 1 1/2' THAT LENGTH.
- G #2 AWG SOLID TINNED COPPER GROUND WIRE CONNECT TO GROUND RING AND STEEL REBAR IN CONCRETE FOUNDATION. ELECTROCHEMICALLY RED. TEST FOR RESISTANCE. VERIFY WELD 100%-GOOD OR RE-WELD.
- H #2 AWG SOLID TINNED COPPER GROUND WIRE IN 1" PVC CONDUIT FROM EXTERIOR ANTENNA GROUND BAR TO GROUND RING. LEAVE 15'-0" OF LEAD WIRE AS DIRECTED BY CONSTRUCTION SUPERINTENDENT.
- I #2 AWG SOLID TINNED COPPER GROUND WIRE 18" BELOW GRADE FOR CONNECTION TO ICE BRIDGE SUPPORT POSTS.
- J #2 AWG SOLID TINNED COPPER GROUND WIRE FROM 1/4" UNIT FRAME TO GROUND RING AND CABLED.
- K #2 AWG SOLID TINNED COPPER GROUND WIRE FROM GROUND ROD TO INTERIOR PERIMETER GROUND RING. ENTER BUILDING THROUGH 1" PVC CONDUIT AT A DOWNWARD 45 DEGREE ANGLE. SEAL WALL PENETRATION WATER TIGHT. LEAVE 10'-0" OF LEAD WIRE COILED ON FLOOR. PROVIDE AT LOCATIONS SPECIFIED BY A&T WIRELESS CONSTRUCTION.
- L REFER TO GROUND ROD WITH ACCESS AREA DETAIL, 2/6(A).
- M #2 BARE SOLID TINNED COPPER GROUND WIRE FROM METAL DOOR FRAME TO GROUND RING.
- N NOT USED.
- O NEW AUTOMATIC TRANSFER SWITCH.
- P NOT USED.
- Q VERIFY ACTUAL MOUNTING LOCATION WITH A&T WIRELESS CONSTRUCTION.
- R #2/0 COPPER GROUND WIRE 1" CONDUIT THROUGH OUTSIDE WALL AT 45 DEGREES DOWNWARD ANGLE THEN SUPPORTED AGAINST OUTSIDE WALL 18" BELOW GRADE. CONNECT TO GROUND RING.
- S NEW METER BASE & SOCKET BY E.C. AS APPROVED BY LOCAL ELECTRIC SERVICE PROVIDER.
- T PROVIDE #6 AWG BARE SOLID TINNED COPPER GROUND WIRE FROM GROUND RING TO TELEPHONE CABINET GROUND BAR. PROVIDE 3/4" PVC SLEEVE WHERE ABOVE GRADE.
- U NEW 30" x 4" x 1/4" PRE-BRULLED COPPER ANTENNA GROUND BAR. PROVIDE STAND-OFF ISOLATORS. VERIFY EXACT LOCATION WITH A&T WIRELESS.
- V #2 BARE SOLID TINNED COPPER GROUND WIRE FROM UTILITY RACK SUPPORT POSTS DOWN TO GROUND RING. PROVIDE CABLED CONNECTIONS.
- W #2 BARE SOLID TINNED COPPER GROUND WIRE EXOTHERMICALLY GALVANIZED TO TOWER GROUND RING.
- X 1/4" O.D. (GALVANIZING ELECTRODE CONDUCTOR) DOWN IN 3/4" CONDUIT TO 10' GROUND ROD. CONNECT WITH MECHANICAL COUPLING IN GROUND INSPECTION PORT OR AS DIRECTED BY CODE ENFORCEMENT AUTHORITY HAVING JURISDICTION.
- Y PROVIDE #2 AWG BARE SOLID TINNED COPPER GROUND WIRE FROM GROUND RING THROUGH 1" PVC SLEEVE THROUGH TOWER FOUNDATION AT 180 DEGREES OPPOSITE EACH OTHER. VERIFY EXACT LOCATION FOR CONNECTION TO TOWER LEADS IN TWO PLACES. LEAVE SUFFICIENT LEAD WIRE FOR CONNECTION TO TOWER LEADS DOWNED AT EACH GROUND BAR.



1 GROUNDING PLAN
SCALE: NTS

REVISIONS	DATE
DESIGN FOR CONSTRUCTION	09/16/13

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at&t
1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234

SITE NAME
I-30 E / MINS ROAD
SITE NUMBER
DX3353

DATE PLOTTED	09/17/13
DATE PRINTED	09/17/13
SCALE	1" = 10'-0"
PROJECT NUMBER	DX3353
PROJECT NAME	ELECTRICAL GROUNDING PLAN
SHEET NO.	E03

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REVISIONS	DATE
▲ ISSUED FOR CONSTRUCTION	09/17/13

CELERIS PROJECT NO. 13-4533



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 (823) 556-0848
 Registration No. 23446

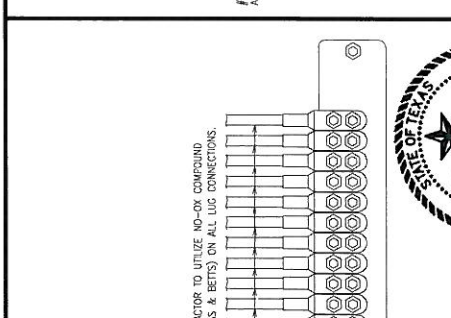
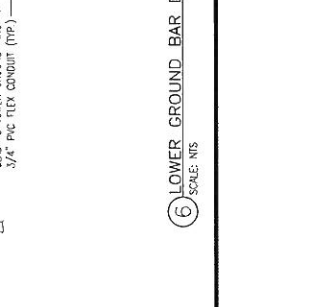
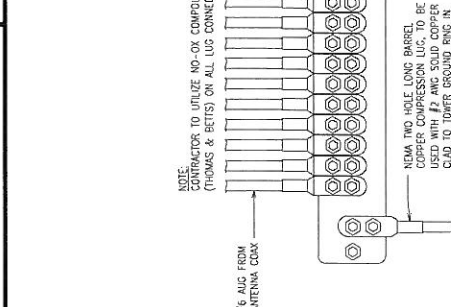
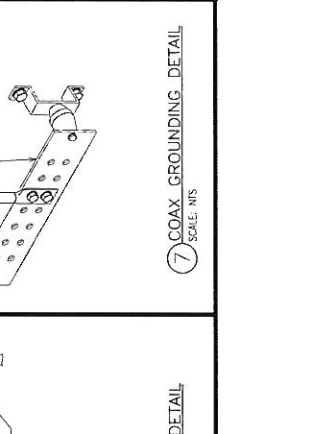
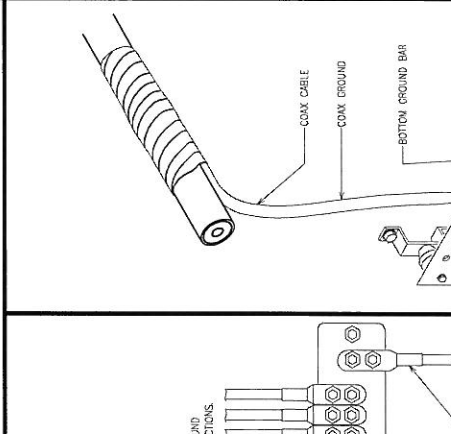
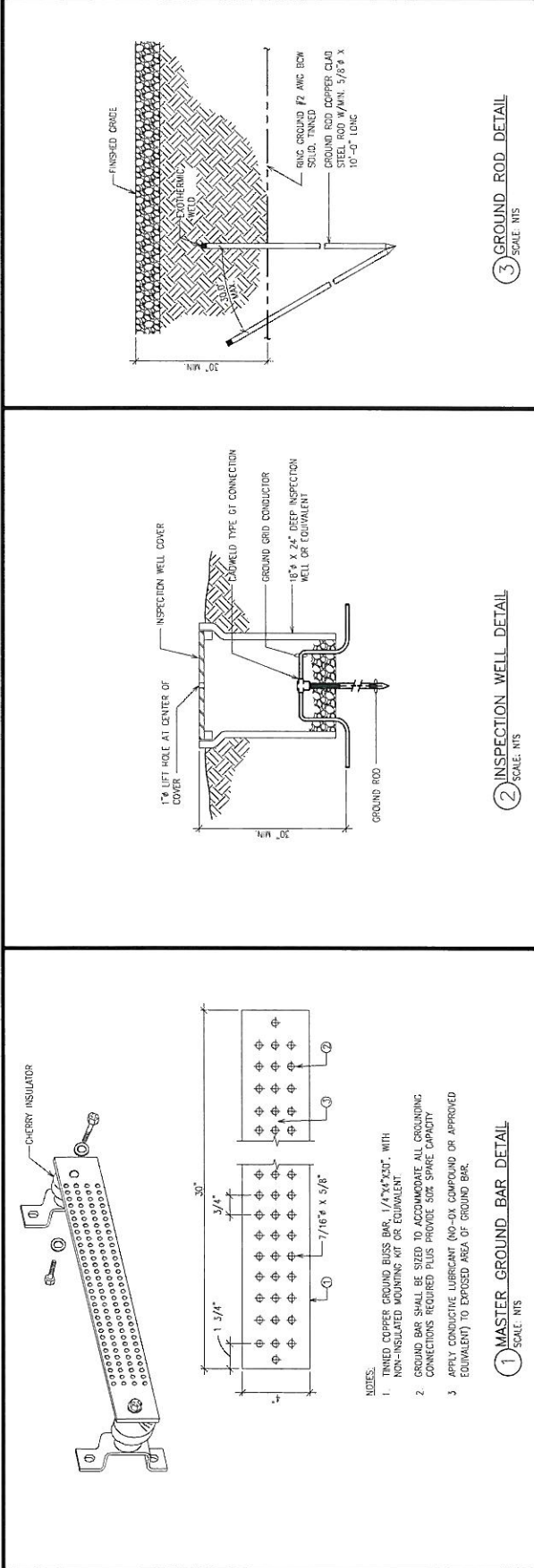


1801 VALLEY VIEW LANE
 FARMERS BRANCH, TX 75234


SITE NAME
I-30 E / MIMS ROAD

SITE NUMBER
DX3353

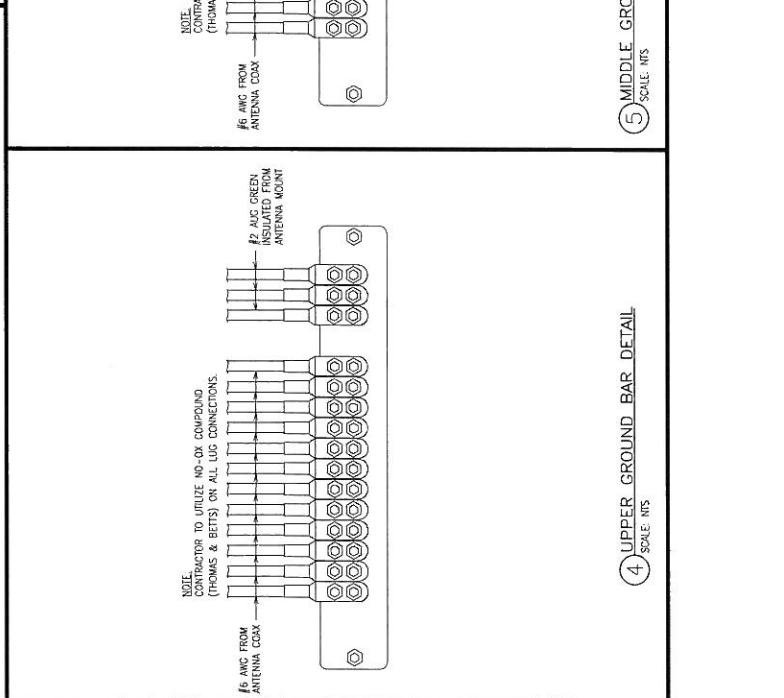
DRAWN BY	CSM
CHECKED BY	RT
DATE	09/17/13
PROJECT NO.	13-4533
SHEET NO.	1-2
ELECTRICAL DETAILS	
SHEET NO.	E04



09/17/13



ROBERTO TORRES
 LICENSED PROFESSIONAL ENGINEER
 STATE OF TEXAS
 83419



REVISIONS	DATE
▲ ISSUED FOR CONSTRUCTION	09/17/13

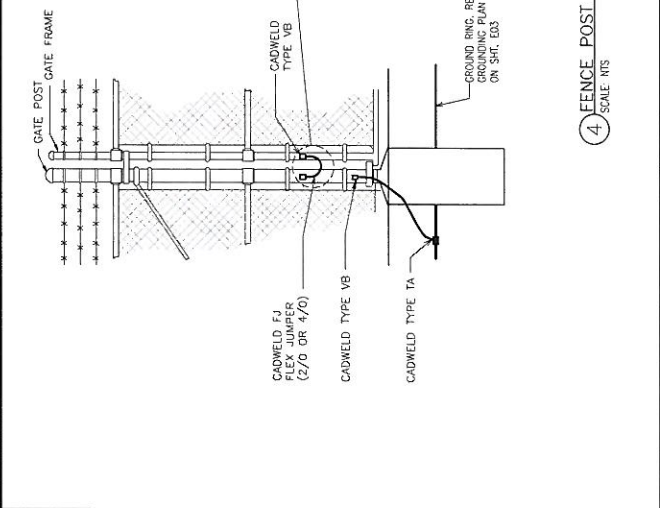
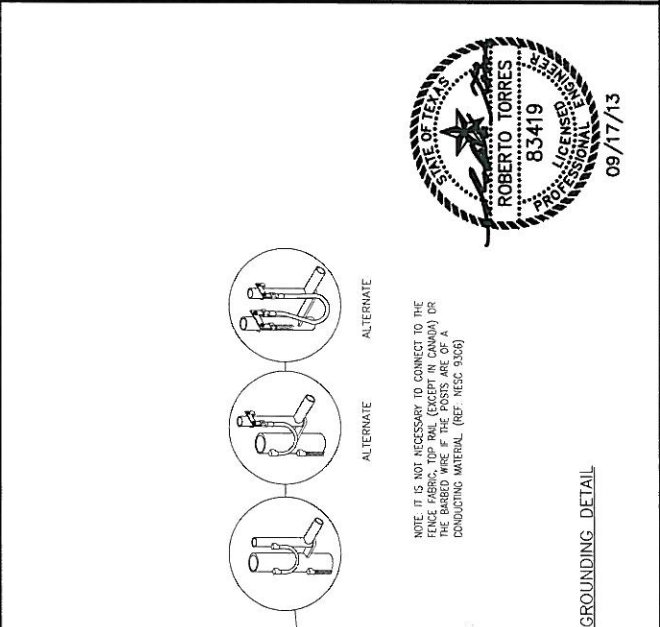
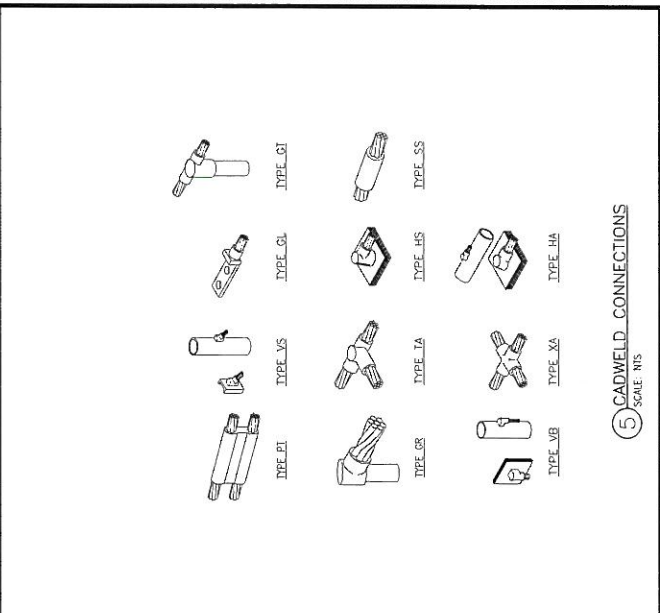
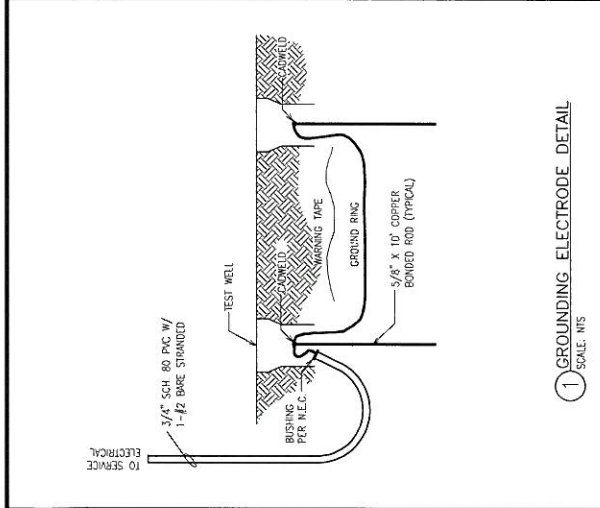
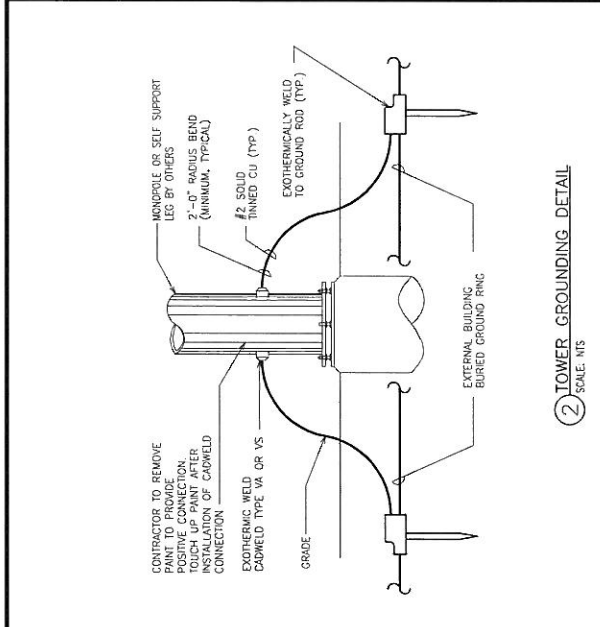
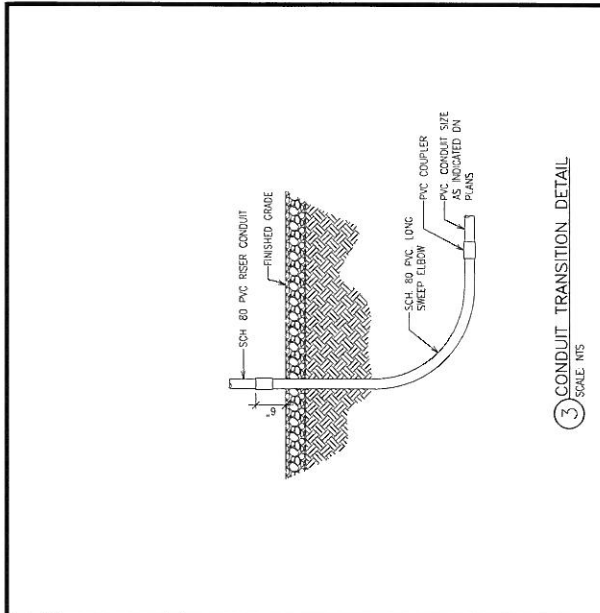

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 1801 VALLEY VIEW LANE
 FARMERS BRANCH, TX 75234

SITE NAME
I-30 E / MIMS ROAD
 SITE NUMBER
DX3353

DESIGNED BY	CSM
CHECKED BY	RT
DATE	09/17/13
SCALE	AS SHOWN
PROJECT NO.	17
ISSUED FOR CONSTRUCTION	09/17/13
ELECTRICAL DETAILS	
SHEET NO.	
E05	



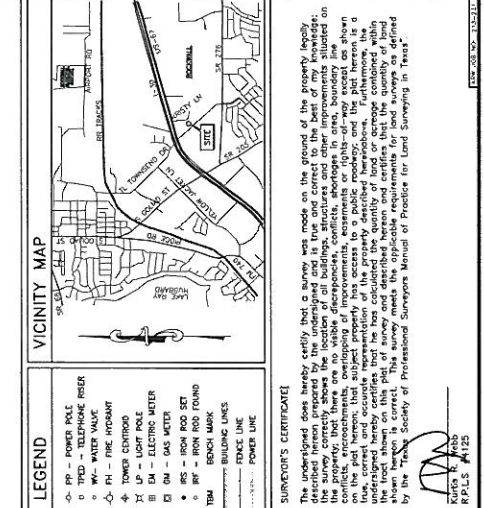
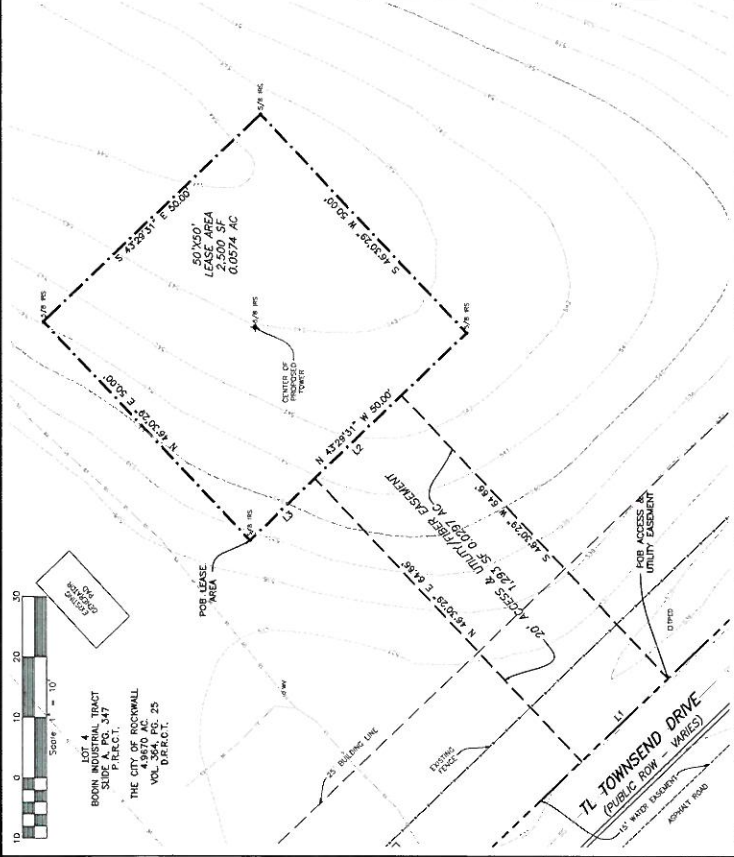


at&t
 SURVEY
 SITE NAME: I-30 / MINS ROAD
 SITE NUMBER: DNU3353
 386 TL TOWNSEND DRIVE
 ROCKWALL, TX 75087



NO.	DATE	DESCRIPTION
1	02/11/2013	DATE OF SURVEY
2	02/11/2013	FIELD NOTES
3	02/11/2013	NOISE REPORT
4	02/11/2013	NOISE REPORT
5	02/11/2013	NOISE REPORT
6	02/11/2013	NOISE REPORT
7	02/11/2013	NOISE REPORT
8	02/11/2013	NOISE REPORT
9	02/11/2013	NOISE REPORT
10	02/11/2013	NOISE REPORT

SV-1



PROJECT INFORMATION

LEGEND

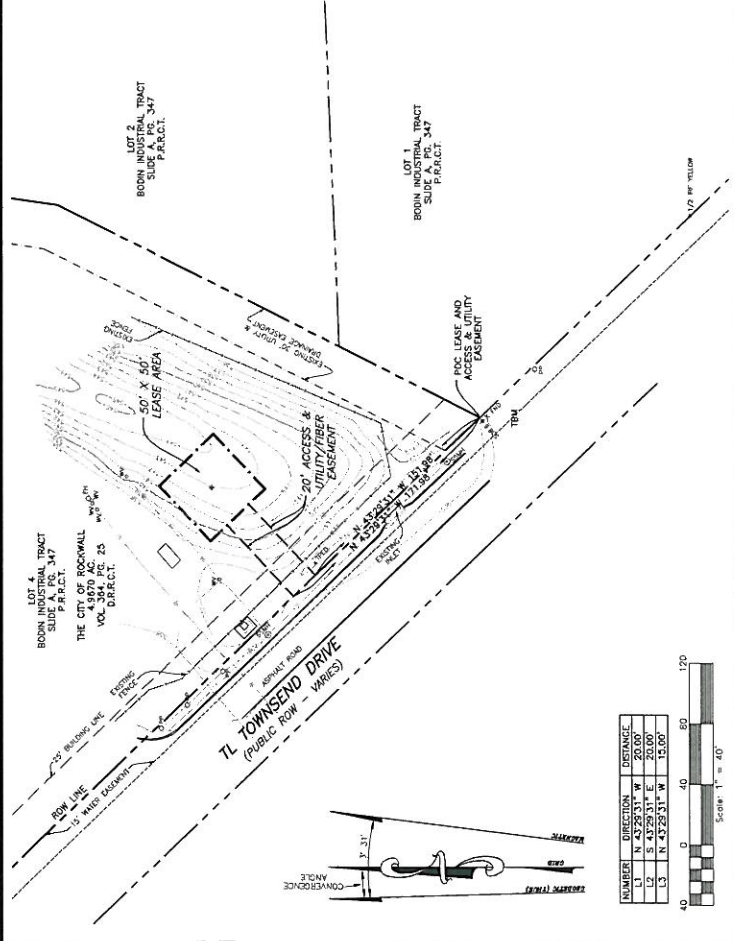
PP - POWER POLE
 P - POLE
 EM - ELECTRIC METER
 FH - FIRE HYDRANT
 T - TOWER
 LP - LIGHT POLE
 GM - GAS METER
 IRS - IRON ROD SET
 BM - BENCH MARK
 PL - POWER LINE

PROJECT INFORMATION

LEGEND

PP - POWER POLE
 P - POLE
 EM - ELECTRIC METER
 FH - FIRE HYDRANT
 T - TOWER
 LP - LIGHT POLE
 GM - GAS METER
 IRS - IRON ROD SET
 BM - BENCH MARK
 PL - POWER LINE

NOTES:
 INGRESS/EGRESS IN COMMON WITH LESSOR.
 LATITUDE AND LONGITUDE SHOWN HEREON ARE BASED ON NAD83 AND ELEVATIONS BASED ON NAVD83.
 LATTITUDE AND LONGITUDE SHOWN HEREON ARE BASED ON NAD83 AND ELEVATIONS BASED ON NAVD83.
 INFORMATION TAKEN FROM NOAA WEB SITE AND IS APPROXIMATE.
 BASIS OF ELEVATION: GPS OBSERVATIONS PERFORMED CONCURRENT WITH SURVEY.
 BASIS OF BEARINGS: GRID BEARINGS BASED ON GPS OBSERVATIONS PERFORMED CONCURRENT WITH SURVEY.
 CONVERSIONS MADE: 01' 07" 19"
 BY GRAPHIC PLOTTING ONLY. THIS PROPERTY IS WITHIN ZONE 17. AREAS OUTSIDE OF A 100-YR FLOOD PLAIN AS SHOWN BY FIRM INFORMATION WITHIN THIS SURVEY. THIS PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN BY FIRM INFORMATION WITHIN THIS SURVEY. NO SURVEYING WAS DONE TO DETERMINE THIS FLOOD ZONE.



50' x 50' LEASE AREA

BEING a tract of land situated in the N.M. Ballard Survey, Abstract No. 48, and being out of and a portion of that certain 4,9870 acre tract of land, known as the Bodin Industrial Tract, Addition, on the West side of Townsend Drive, in Rockwall, Texas, recorded in Slide A, Page 347 of the Plat Records of Rockwall, Texas, conveyed to the City of Rockwall according to that Volume 364, Page 25, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the southwest corner of said 4,9870 acre tract, same being Townsend Drive, from which a 1/2 inch iron rod found bears North 43 degrees 29 minutes 31 seconds East, a distance of 278.76 feet, and on "x" found bears North 50 degrees 14 minutes 53 seconds West, a distance of 3.78 feet, and on "y" found bears North 50 degrees 14 minutes 53 seconds West, a distance of 2.75 feet;

THENCE along the northernly right-of-way line of said TL Townsend Drive, some being the northernly right-of-way line of said TL Townsend Drive, some being the northernly right-of-way line of said 4,9870 acre tract, North 43 degrees 29 minutes 31 seconds West, a distance of 20.00 feet to a Point;

THENCE along the northernly right-of-way line of said TL Townsend Drive, some being the northernly right-of-way line of said TL Townsend Drive, some being the northernly right-of-way line of said 4,9870 acre tract, the following (2):

1. North 46 degrees 30 minutes 29 seconds East, a distance of 64.66 feet to a Point, same point being in the southeast line of the herein described Lease Area;

2. South 46 degrees 30 minutes 29 seconds West, a distance of 64.66 feet to a Point, same point being in the southeast line of the herein described Lease Area;

3. South 46 degrees 30 minutes 29 seconds West, a distance of 1,293.00 feet to a Point, same point being in the southeast line of the herein described Lease Area;

4. North 43 degrees 29 minutes 31 seconds West, a distance of 50.00 feet to the POINT OF BEGINNING hereof;

THENCE continuing through the interior of said 4,9870 acre tract, the following four (4) courses:

1. North 46 degrees 30 minutes 29 seconds East, a distance of 50.00 feet to a 5/8" iron rod set with cap marked "WBEB-1125" for the North corner of the herein described Lease Area;

2. South 43 degrees 29 minutes 31 seconds East, a distance of 50.00 feet to a 5/8" iron rod set with cap marked "WBEB-1125" for the East corner of the herein described Lease Area;

3. South 46 degrees 30 minutes 29 seconds West, a distance of 50.00 feet to a 5/8" iron rod set with cap marked "WBEB-1125" for the South corner of the herein described Lease Area;

4. North 43 degrees 29 minutes 31 seconds West, a distance of 50.00 feet to the POINT OF BEGINNING hereof and containing 0.0574 acre of land, more or less.

20' ACCESS AND UTILITY/FIBER EASEMENT

BEING a tract of land situated in the N.M. Ballard Survey, Abstract No. 48, and being out of and a portion of that certain 4,9870 acre tract of land, known as the Bodin Industrial Tract, Addition, on the West side of Townsend Drive, in Rockwall, Texas, recorded in Slide A, Page 347 of the Plat Records of Rockwall, Texas, conveyed to the City of Rockwall according to that Volume 364, Page 25, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the southwest corner of said 4,9870 acre tract, same being Townsend Drive, from which a 1/2 inch iron rod found bears North 43 degrees 29 minutes 31 seconds East, a distance of 278.76 feet, and on "x" found bears North 50 degrees 14 minutes 53 seconds West, a distance of 3.78 feet, and on "y" found bears North 50 degrees 14 minutes 53 seconds West, a distance of 2.75 feet;

THENCE along the northernly right-of-way line of said TL Townsend Drive, some being the northernly right-of-way line of said TL Townsend Drive, some being the northernly right-of-way line of said 4,9870 acre tract, the following (2):

1. North 46 degrees 30 minutes 29 seconds East, a distance of 64.66 feet to a Point, same point being in the southeast line of the herein described Lease Area;

2. South 46 degrees 30 minutes 29 seconds West, a distance of 64.66 feet to a Point, same point being in the southeast line of the herein described Lease Area;

3. South 46 degrees 30 minutes 29 seconds West, a distance of 1,293.00 feet to a Point, same point being in the southeast line of the herein described Lease Area;

4. North 43 degrees 29 minutes 31 seconds West, a distance of 50.00 feet to the POINT OF BEGINNING hereof and containing 0.0574 acre of land, more or less.

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/18/2013
APPLICANT: Skorburg Company
AGENDA ITEM: P2013-037; Life Spring Drive

SUMMARY:

Discuss and consider a request by the Skorburg Company on behalf of Life Spring Church for the approval of a final plat for a 0.402-acre tract of land located within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas for the purpose of dedicating right-of-way; the subject property is zoned Agricultural (Ag) District, is generally located north of John King Boulevard and east of SH-205, and take any action necessary.

COMMENTS:

- ✓ The purpose of the proposed final plat is to dedicate 0.402-acres of right-of-way adjacent to John King Boulevard for the construction of Life Spring Drive, which will provide access to John King Boulevard for the Breezy Hill Subdivision.
- ✓ The Engineer has completed the majority of the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:


If the Planning & Zoning Commission and City Council choose to approve the final plat for *Life Spring Drive* then staff would recommend the following conditions of approval:

- 1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- 2) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 12, 2013, the Planning and Zoning Commission recommended to approve the final plat with staff conditions by a vote of 6 to 0, with Commissioner Nielsen absent.

0 62.5 125 250 375 500 Feet

P2013-037 - LIFE SPRING DRIVE
FINAL PLAT - LOCATION MAP = 

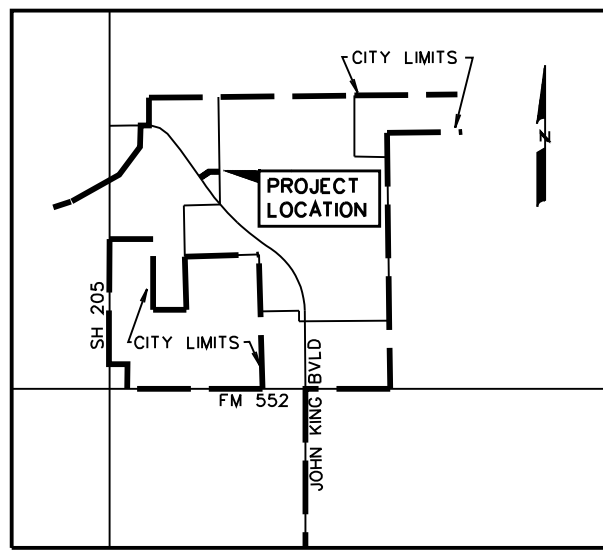


City of Rockwall

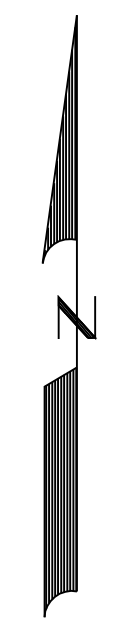
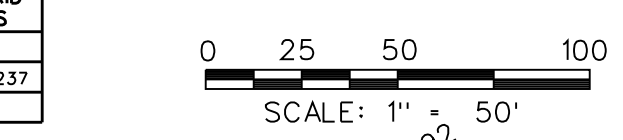
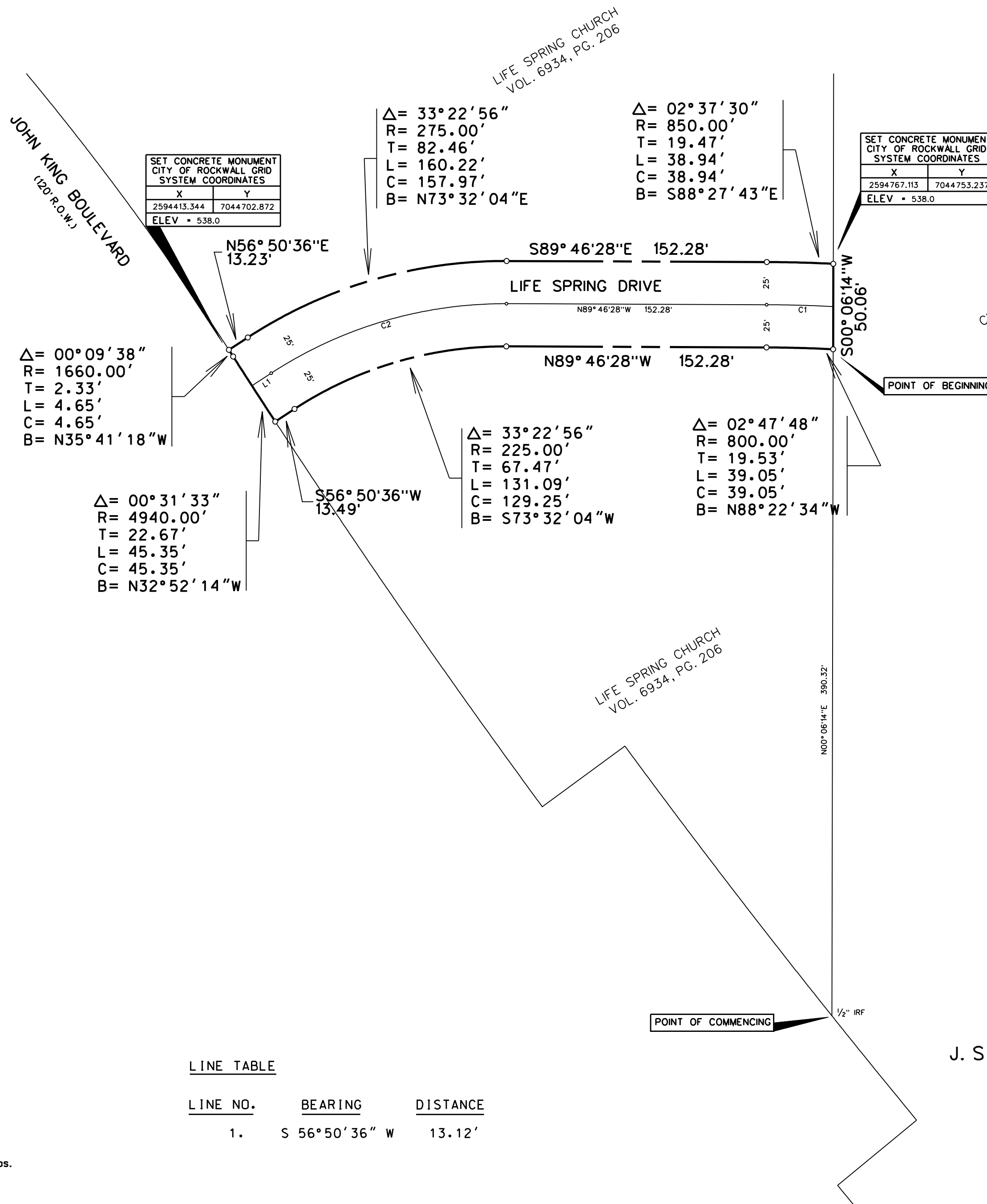
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





LOCATION MAP
N.T.S.



- NOTES**
- Bearing are referenced to a 405.184 acre tract, as described in Clerks File No. 2007-00375392, in the Deed Records of Rockwall County, Texas.
 - 1/2" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangency, and angle points in public right-of-way unless otherwise noted.
 - No building permits will be issued until all public improvements are accepted by the City.

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	S 56° 50' 36" W	13.12'

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	02° 42' 30"	825.00'	39.00'	19.50'	39.00'	N88° 25' 13" W
2.	33° 22' 56"	250.00'	145.66'	74.96'	143.61'	S73° 32' 04" W

RIGHT-OF-WAY PLAT
OF
LIFE SPRING DRIVE
BEING 0.402 ACRES
OUT OF THE
J. STRICKLAND SURVEY ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
OWNER
LIFE SPRING CHURCH
PO BOX 886
ROCKWALL, TEXAS 75087

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

TOTAL ACRES 0.402

OCTOBER 2013 SCALE 1" = 100'

OWNER'S CERTIFICATE

LEGAL DESCRIPTION

WHEREAS, LIFE SPRINGS CHURCH, is the owner of a tract of land situated in the J. Strickland Survey, Abstract No. 187 in the City of Rockwall, Rockwall County, Texas, being out of a 31.012 acre tract, as described in Clerks File Vol. 6934, Pg. 206 in the Deed Records of Rockwall County, Texas and being more particularly described as follows:

COMMENCING, at 1/2 inch iron rod found at the most southerly southeast corner of said 31.012 acre tract, being in the east line of John King Boulevard (120' R.O.W.):

THENCE, North 00°06'14" East, along the east line of said 31.012 acre tract, for a distance of 390.32 feet, to a 1/2 inch iron rod set at the POINT OF BEGINNING, being a point on a curve to the left, having a radius of 800.00 feet, a central angle of 02°47'48", and a tangent of 19.53 feet:

THENCE, departing the east line of said 31.012 acre tract and with said curve to the left for an arc distance of 39.05 feet (Chord Bearing North 88°22'34" West - 39.05 feet), to a 1/2 inch iron rod set at the point of tangency:

THENCE, North 89°46'28" West, for a distance of 152.28 feet, to a 1/2 inch iron rod set at the point at the point of curvature of a curve to the left, having a radius of 225.00 feet, a central angle of 33°22'56", and a tangent of 67.47 feet:

THENCE, along said curve to the left for an arc distance of 131.09 feet (Chord Bearing South 73°32'04" West - 129.25 feet), to a 1/2 inch iron rod set at the point of tangency:

THENCE, South 56°50'36" West, for a distance of 13.49 feet, to a 1/2 inch iron rod set at in the west line of said 31.012 acre tract, being in the east line of said John King Boulevard, being on a curve to the right, having a radius of 4940.00 feet, a central angle of 00°31'33", and a tangent of 22.67 feet:

THENCE, along the east line of said John King Boulevard and the west line of said 31.012 acre tract and with said curve to the right for an arc distance of 45.35 feet (Chord Bearing North 32°52'14" West - 45.35 feet), to a 1/2 inch iron rod set at the point of the point of a reverse curvature of a curve to the left, having a radius of 1660.00 feet, a central angle of 00°09'38", and a tangent of 2.33 feet:

THENCE, continuing along said east and west lines and with said curve to the left for an arc distance of 4.65 feet (Chord Bearing North 32°41'18" West - 4.65 feet), to a 1/2 inch iron rod set:

THENCE, North 56°50'36" East, departing said lines, for a distance of 13.23 feet, to a 1/2 inch iron rod found at the point of curvature of a curve to the right, having a radius of 275.00 feet, a central angle of 33°22'56", and a tangent of 82.46 feet:

THENCE, along said curve to the right for an arc distance of 160.22 feet (Chord Bearing North 73°32'04" East - 157.97 feet), to a 1/2 inch iron rod set at the point of tangency:

THENCE, South 89°46'28" East, for a distance of 152.28 feet, to a 1/2 inch iron rod set at the point curvature of a curve to the right, having a radius of 850.00 feet, a central angle of 02°37'30", and a tangent of 19.47 feet:

THENCE, along said curve to the right for an arc distance of 38.94 feet (Chord Bearing South 88°27'43" East - 38.94 feet), to a 1/2 inch iron rod set in the east line of said 31.012 acre tract:

THENCE, South 00°06'14" West, along the east line of said 31.012 acre tract, for a distance of 50.06 feet, to the POINT OF BEGINNING and containing 0.402 acres of land.

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this ____ day of _____, 2013.

WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the ____ day of _____, 2013.

Notary Public in and for the State of Texas

Recommended for Final Approval:

Planning & Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2013.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Court Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ____ day of _____, 2013.

Mayor, City of Rockwall City Secretary City Engineer

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner(s) of the land shown on this plat, and designated herein as LIFE SPRING DRIVE, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the LIFE SPRING DRIVE, subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

- 1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips: and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall: or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done: or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

LIFE SPRINGS CHURCH

Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this ____ day of _____, 2013.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this ____ day of _____, 2013.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

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CITY OF ROCKWALL

CITY COUNCIL MEMO

AGENDA DATE: 11/18/2013

APPLICANT: Marshall Gage, LLC

AGENDA ITEM: **P2013-038**; Lots 23 & 24, Block A, Horizon Ridge Addition

SUMMARY:

Discuss and consider a request by Marshall Gage, LLC on behalf of Ridge Road Properties, LLC for the approval of a replat for Lots 23 & 24, Block A, Horizon Ridge Addition being a 1.021-acre parcel of land currently identified as Lot 13R, Block A, Horizon Ridge Addition, City of Rockwall, Rockwall County, Texas; zoned Planned Development District 9 (PD-9), situated within the Scenic Overlay (SOV) District, generally located south of IH-30 on the east side of FM-740 (Ridge Road), and take any action necessary.

COMMENTS:

- ✓ The purpose of the applicant's request is to final plat two (2) commercial parcels of land for the purpose of establishing two (2) retail/office facilities on 1.021-acre tract of land. A site plan for the facilities was approved by the Planning & Zoning Commission on August 19, 2013 under case number *SP2013-019*.
- ✓ The Engineer has completed the majority of the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the final plat for *Lots 23 & 24, Block A, Horizon Ridge Addition* then staff would recommend the following conditions of approval:

- 1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- 2) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes

and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 12, 2013, the Planning and Zoning Commission recommended to approve the replat with staff conditions by a vote of 6 to 0, with Commissioner Nielsen absent.



P2013-038 - LTS 23 & 24, BLK A, HORIZON RIDGE ADDITION
 FINAL PLAT - LOCATION MAP =

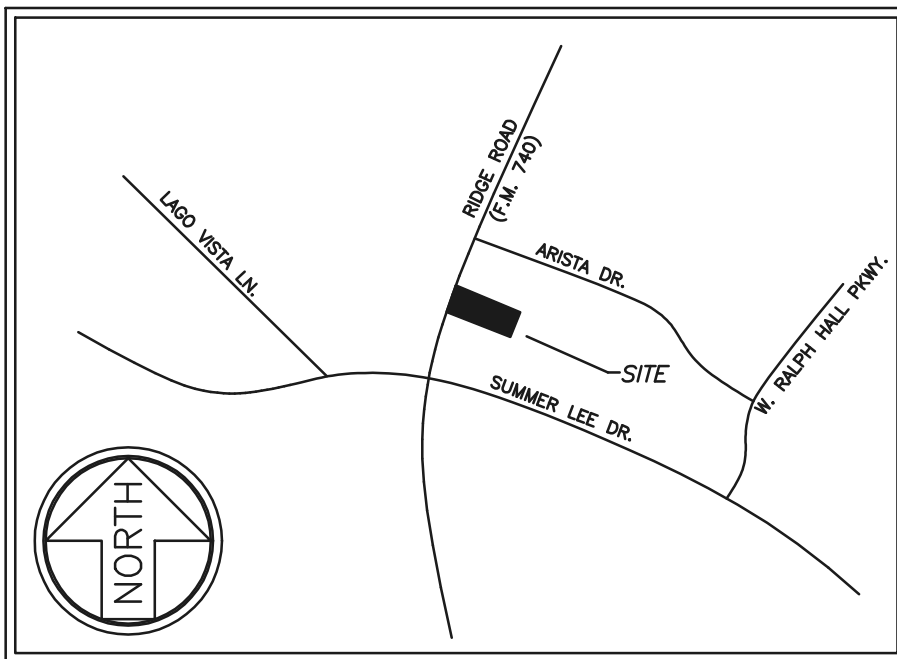


City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

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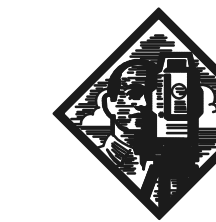




VICINITY MAP
NOT TO SCALE

BASIS OF BEARINGS: SOUTH BOUNDARY LINE OF
SUBJECT PROPERTY AS SHOWN ON PLAT RECORDED
IN CABINET F, SLIDE 147, P.R.R.C.T.

IRF DENOTES IRON ROD FOUND
IRS DENOTES IRON ROD SET



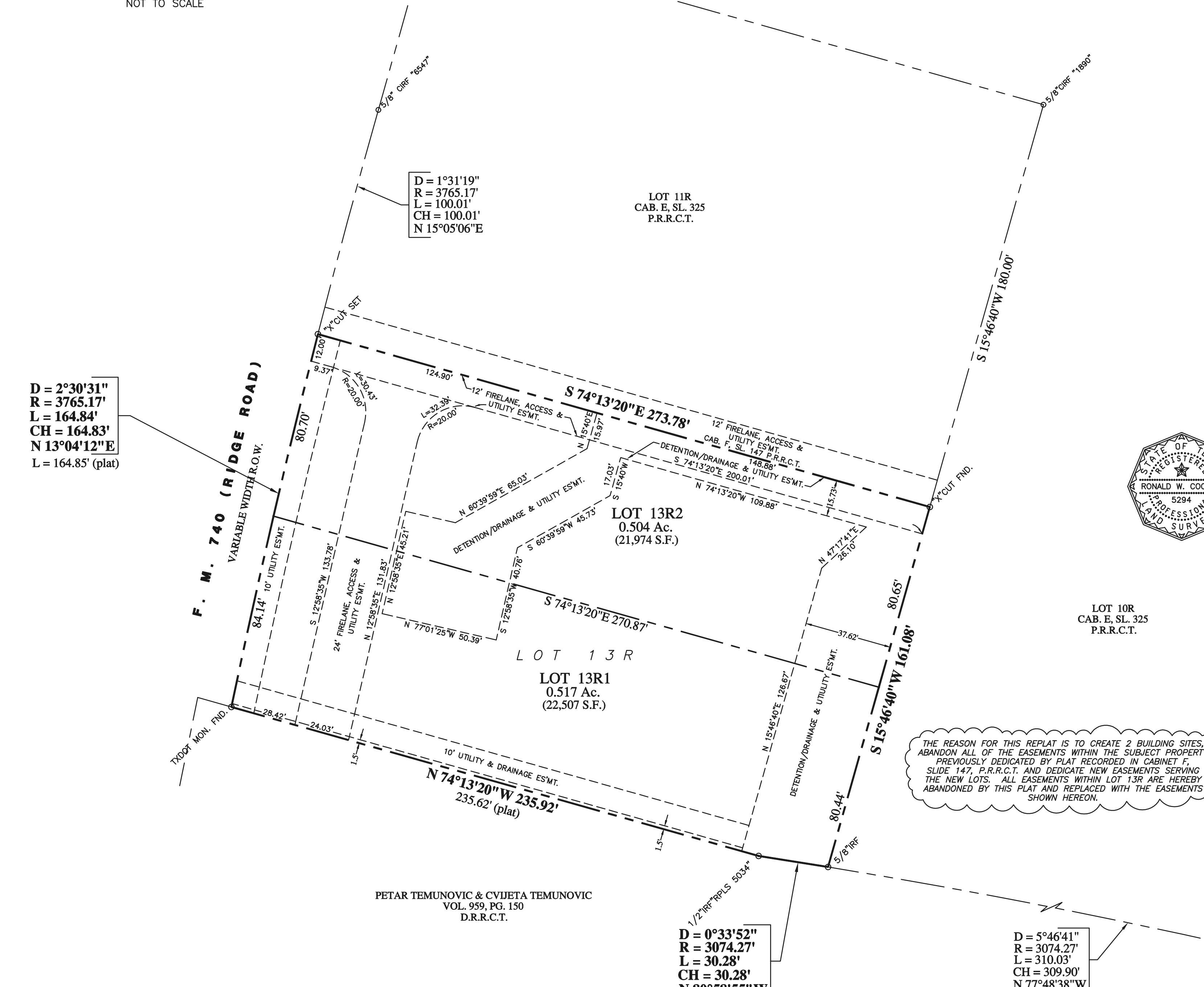
Coombs Land Surveying, Inc.

P.O. Box 11370 Fort Worth Texas 76110
(817) 920-7600 (817) 920-7617 FAX

CLS JOB No. 12-0028
G.F. No. 1002-1318-RTT

*** NOTE ***
ALL SUBJECT PROPERTY BOUNDARY
LINE BEARINGS AND DISTANCES ARE
PLAT & ACTUAL UNLESS OTHERWISE
NOTED HEREON.

*** NOTE ***
NO PORTION OF THIS PROPERTY
LIES WITHIN A 100-YEAR FLOOD
BOUNDARY LINE ACCORDING TO
THE NATIONAL FLOOD INSURANCE
PROGRAM'S FLOOD INSURANCE
RATE MAP FOR THE CITY OF
ROCKWALL, ROCKWALL COUNTY,
TEXAS, COMMUNITY PANEL NO.
48397C040 L. MAP EFFECTIVE
SEPTEMBER 26, 2008



STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2013.

Notary Public in and for the State of Texas

My Commission Expires: _____

Signature of Party with Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and n whose n????acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of _____, 2013

Notary Public in and for the State of Texas

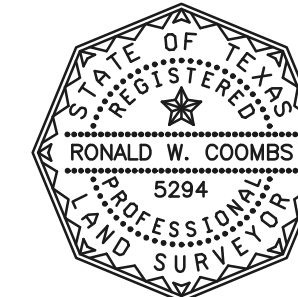
My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, RONALD W. COOMBS, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.



RONALD W. COOMBS, R.P.L.S.
5294
Registered Professional Land Survey No. 5294

STATE OF TEXAS
COUNTY OF TARRANT

Before me, the undersigned authority, on this day personally appeared RONALD W. COOMBS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of _____, 2013.

Notary Public in and for the State of Texas

My Commission Expires: _____

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission _____ Date _____

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2013.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2013.

Mayor, City of Rockwall _____ City Secretary _____ City Engineer _____

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS PS5 PROPERTIES, LLC, acting by and through the undersigned, its duly authorized agent, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING all of Lot 13R, Block A, Horizon Ridge Addition to the City of Rockwall, Texas according to the plat recorded in Cabinet F, Slide 147 of the Plat Records of Rockwall County, Texas and more particularly described by metes and bounds as follows:

BEGINNING at a Texas Department of Transportation monument found at the Southwest corner of said Lot 13R lying in the North boundary line of that certain tract of land described in deed to Petar Temunovic and Cvijeta Temunovic recorded in Volume 959, Page 150 of the Deed Records of Rockwall County, Texas and lying in the East right-of-way line of F. M. 740 (Ridge Road, a variable width right-of-way);

THENCE NORTHEASTERLY, 164.84 feet along said right-of-way line with a Curve to the Right, having a radius of 3765.17 feet, a central angle of 02° 30' 31" and a chord bearing N 13° 04' 12" E, 164.83 feet to an "X" cut in concrete set at the Northwest corner of said Lot 13R being the Southwest corner of Lot 11R, Block A, Horizon Ridge Addition to the City of Rockwall, Texas according to the plat recorded in Cabinet E, Slide 325 of the Plat Records of Rockwall County, Texas;

THENCE S 74° 13' 20" E, 273.78 feet departing said right-of-way line and along the common boundary line between said Lots 11R and 13R to an "X" cut in concrete found at the Northeast corner of said Lot 13R lying in the West boundary line of Lot 10R, said Block A;

THENCE S 15° 46' 40" W, 161.08 feet along the common boundary line between said Lots 10R and 13R to a 5/8-inch iron rod found at the Southeast corner of said Lot 13R lying in the North boundary line of aforesaid Temunovic Tract;

THENCE along the common boundary line between said Lot 13R and said Temunovic Tract as follows:

NORTHWESTERLY, 30.28 feet along a Curve to the Left, having a radius of 3074.27 feet, a central angle of 00° 33' 52" and a chord bearing N 80° 58' 55" W, 30.28 feet to a 1/2-inch iron rod found with plastic cap stamped "RPLS 5034" at the End of said Curve;

N 74° 13' 20" W, 235.92 feet to the PLACE OF BEGINNING, containing 1.021 acre (44,481 square feet) of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS COUNTY OF ROCKWALL

WE, PS5 PROPERTIES, LLC, acting by and through the undersigned, its duly authorized agent, the undersigned owner(s) of the land shown on this plat, and designated herein as the HORIZON RIDGE ADDITION, LOTS 13R1 AND 13R2, BLOCK A subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the HORIZON RIDGE ADDITION, LOTS 13R1 AND 13R2, BLOCK A subdivision have been notified and signed this plat.

I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have n whose n????the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the actual installation of streets with the required base and paving, improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

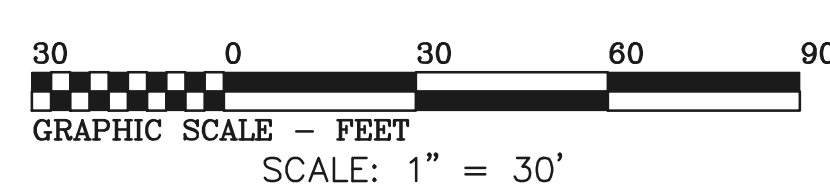
I (we) further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

PS2 PROPERTIES, LLC
BY: _____

FINAL REPLAT
**HORIZON RIDGE ADDITION
LOTS 13R1 & 13R2, BLOCK A**
TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
BEING A REVISION OF LOT 13R, BLOCK A, HORIZON RIDGE ADDITION
TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS ACCORDING
TO THE PLAT RECORDED IN CABINET F, SLIDE 147 OF THE
PLAT RECORDS OF ROCKWALL COUNTY, TEXAS

SURVEYOR:
COOMBS LAND SURVEYING, INC.
P.O. BOX 11370
FORT WORTH, TEXAS 76110
(817) 920-7600
(831) 920-7617 FAX
e-mail: ron.coombs@sbcglobal.net

OWNER:
PS5 PROPERTIES, LLC
P.O. BOX 595261
DALLAS, TEXAS 75359
(214) 226-7171
(214) 226-7171 FAX
e-mail: rastiproperties@yahoo.com



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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor & City Council
FROM: Brad Griggs, Assistant City Manager
DATE: November 13, 2013
SUBJECT: Appointment with Leadership Rockwall Class of 2014

Leadership Rockwall Class of '14 has requested this appointment item with Council for final approval of a community service project located in a city park.

The Parks and Recreation Board approved this item at the November 5, 2013 meeting.

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/18/2013

APPLICANT: Rockwall Gold & Silver

AGENDA ITEM: **Z2013-028**; 1901 S. Goliad St. – SUP (Pawn Shop)

SUMMARY:

Hold a public hearing to discuss and consider a request by Rockwall Gold & Silver on behalf of Donna Pritchard for the approval of a Specific Use Permit for a pawn shop on a portion of a 0.423-acre parcel of land, zoned Commercial (C) District and located within the SH 205 Overlay (SH 205 OV) District, identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, specifically Suite 1 of 1901 S. Goliad Street, and take any action necessary.

BACKGROUND INFORMATION:

Rockwall Gold & Silver, an established small business offering services such as the purchase of precious metals, jewelry, watches, etc. as well as pay day loans offered through their Rockwall Fast Cash identity is requesting a (SUP) Specific Use Permit to allow for a Pawnshop as an addition to their current business model. As per the applicants letter, the Pawnshop designation will allow the business to accept jewelry for the purpose of financing loans and selling any of the unclaimed items after a specified period of time as established in the Texas Pawnshop Act.

The applicant has provided photos of the property (interior and exterior), a site plan indicating the boundary of the proposed Pawnshop (identified as Suite 1), a letter from the property owner granting permission to allow for the Pawnshop at the designated location, and a letter from the business owner, Lloyd Waldrop, requesting the SUP for your review and consideration. The property is located on the south east corner of Goliad Street and Yellow Jacket Lane, is zoned (C) Commercial District, and lies within the (SH 205 OV) SH 205 Overlay District.

The Pawnshop industry is regulated by the “Texas Pawnshop Act” under the Finance Code, Title 4, Regulation of Interest, Loans, and Financed Transactions, Subtitle C, Chapter 371 of the Texas Statutes.

NOTIFICATION:

On October 31, 2013 staff mailed eleven (11) notices to property owners within 200 feet of the subject property. Additionally, staff posted signage along street frontage adjacent to the subject property, as required by the UDC. At the time this case memo was drafted, staff has received one (1) response “in favor of” the request.

RECOMMENDATIONS:

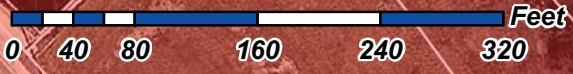
Should the request be approved, staff would offer the following additional conditions:

1. The (SUP) Specific Use Permit shall be limited in its operations to an area of approximately nine (900) hundred square feet for the area designated as “Suite 1” as depicted on Exhibit “A”, and;

2. Incidental display and outside storage shall be prohibited.

PLANNING AND ZONING RECOMMENDATION:

On November 12, 2013, the Planning and Zoning Commission recommended approval of the SUP with staff conditions by a vote of 5 to 2 (McCutcheon & Nielsen - against).



Z2013-028- FAST CASH SUP
ZONING - LOCATION MAP =



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user. 92

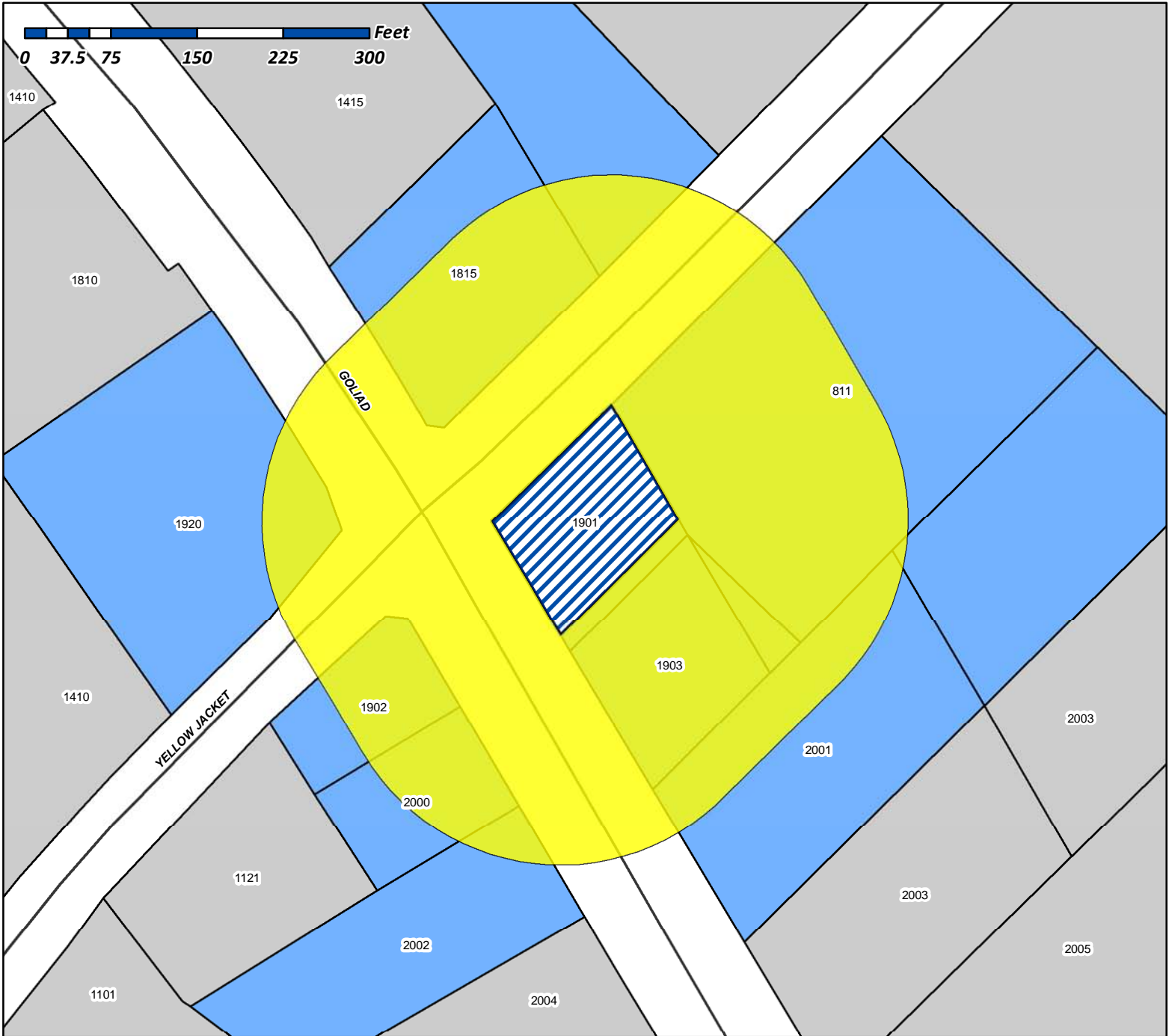
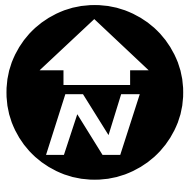




City of Rockwall

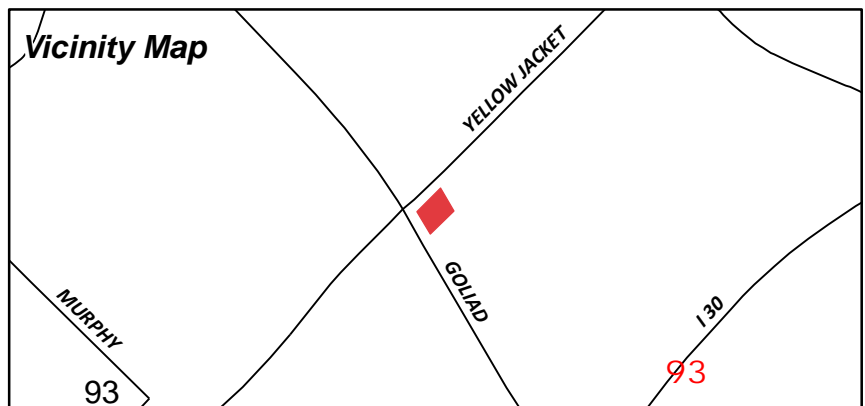
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2013-028
Case Name: Fast Cash SUP
Case Type: Specific Use Permit
Zoning: C - SH205 Ovly
Case Address: 1901 S. Goliad St.

Date Created: 10/23/2013
For Questions on this Case Call (972) 771-7745



CROSS_REF	First Name	Name	legal_desc	Address 1	Address 2	addr_line3	City	State	zip
4650-000A-0001-00-OR	PIZZA HUT	JEY INVESTMENTS	BILLY PEOPLES #1, BLOCK A, LOT 1, ACRES .344		602 FALVEY AVE		TEXARKANA	TX	75501
3145-000A-0001-00-OR	BRAUMS	RETAIL BUILDERS INC	BRAUM'S ADDITION, BLOCK A, LOT 1A, ACRES 1.30, (REPLAT-2003)		3000 NE 63RD ST		OKLAHOMA CITY	OK	73121
4830-0000-0001-B0-OR	SABRINAS FLOWERS & GIFTS	UHLIG JANET KAY &	ROCKWALL BUSINESS PARK, LOT 1 PT, ACRES 0.052	JEFFERY DAVID JOLLEY	1903 S GOLIAD ST		ROCKWALL	TX	75087
4830-0000-0001-D0-OR		LANDLOW LLC	ROCKWALL BUSINESS PARK, LOT 1 PT, ACRES 0.968		811 E YELLOW JACKET LN		ROCKWALL	TX	75087
4070-A875-A001-00-OR	SABRINAS FLOWERS & GIFTS	UHLIG JANET KAY &	J J JONES, BLOCK A875, LOT A001, ACRES .407	JEFFERY DAVID JOLLEY	1903 S GOLIAD ST		ROCKWALL	TX	75087
0065-0000-0019-00-OR		ROCKWALL VET CLINIC	A0065 J CADLE,TRACT 19,1.033 ACRES	C/O JOE LOFTIS	2001 S GOLIAD ST		ROCKWALL	TX	75087
4650-000A-0002-00-OR	E Z MART	E Z MART #77	BILLY PEOPLES #1, BLOCK A, LOT 2, ACRES .3112		PO BOX 1426		TEXARKANA	TX	75504
4327-0000-0002-00-OR	LUIGI'S ITALIAN CAFE	SMAJLI ISMET & DYLDYL	LORETTA ANDERSON ADDN, LOT 2, ACRES .7917		1422 MURPHY DR		ROCKWALL	TX	75087
3725-0001-0001-01-OR		UHLIG JANET KAY &	GARLAND FEDERAL SAVINGS & LOAN ADDN, BLOCK 1, LOT 1-1, ACRES 0.0465	JEFFERY DAVID JOLLEY	1903 S GOLIAD ST		ROCKWALL	TX	75087
3725-0001-0001-00-OR	TRIUMPH GLASS	PRICHARD DONNA CULLINS &	GARLAND FEDERAL SAVINGS & LOAN ADDN, BLOCK 1, LOT 1, ACRES 0.423	KIMBERLY COLICCHIO	1610 SHORES BLVD		ROCKWALL	TX	75087
4830-0000-0001-C0-OR		LANDLOW LLC	LOT 1 PT ROCKWALL BUSINESS PARK		811 E YELLOW JACKET LN		ROCKWALL	TX	75087
3671-0001-0006-00-OR		FIRST UNITED METHODIST CHURCH	FIRST UNITED METHODIST CHURCH ADDITION, BLOCK 1, LOT 6, ACRES 1.4769, (REPLAT 2007), (REPLAT 2009)	FINANCE OFFICE	1200 E YELLOW JACKET LN		ROCKWALL	TX	75087
3001-0001-0001-00-OR		RHOADS RHOADS AND COX	7 ELEVEN/GOLIAD ADDITION, BLOCK 1, LOT 1, ACRES 0.8323		2829 AMHERST AVE		DALLAS	TX	75231

PLEASE RETURN THE BELOW FORM

Case No. Z2013-028: Rockwall Gold & Silver - SUP

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

Name:

GARY FATELAND

Address:

1610 Stones Blvd. Rockwall, Tx 75087

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

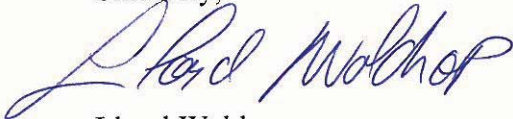
✓
October 21, 2013

Dear City of Rockwall:

Rockwall Gold & Silver is requesting a special use permit for the location 1901 S. Goliad St. Suite 1, in order to process jewelry loans. This property is owned by Donna Pritchard.

Thank you in advance for your time and consideration for this added special use permit.

Sincerely,

A handwritten signature in blue ink that reads "Lloyd Waldrop". The signature is written in a cursive, flowing style.

Lloyd Waldrop

Owner

Donna Pritchard
1610 Shores Blvd.
Rockwall, TX 75087
(972) 771-3060

September 12, 2013

City of Rockwall

Planning & Zoning Department

Subject: Commercial property at 1901 South Goliad, Rockwall, TX 75087

To whom it may concern;

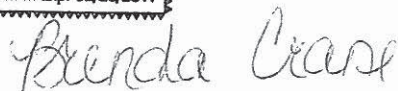
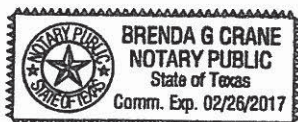
Please accept this letter as my authorization to request a Special Use Permit for the commercial property located at 1901 S. Goliad, Rockwall, TX, 75087. It is our understanding that the zoning will remain unchanged (commercial) and that this request is for a specific use permit only.

I authorize Lloyd Waldrop to speak on our behalf for the SUP Specific Use Permit. This application is being turned in as a request to all the existing tenant at the above location to fully utilize their existing loan license.

Sincerely,



Donna Pritchard, Property Owner









Rockwall Gold & Silver

RockwallGoldandSilver.com





CITY OF ROCKWALL

ORDINANCE NO. 13-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A “PAWNSHOP” ON A PORTION OF A 0.423-ACRE PARCEL OF LAND, AND MORE SPECIFICALLY IDENTIFIED AS “SUITE 1” AS DEPICTED IN EXHIBIT “A” ATTACHED HERETO, AND LOCATED AT 1901 S. GOLIAD STREET, AND ZONED COMMERCIAL (C) DISTRICT, AND DESCRIBED AS LOT 1, BLOCK 1 OF THE GARLAND FEDERAL SAVINGS & LOAN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) for a “Pawnshop” within a Commercial (C) zoning district has been requested by Rockwall Gold & Silver and on behalf of Donna Pritchard (property owner), on a portion of a 0.423-acre parcel of land, and more specifically identified as “Suite 1” as depicted in Exhibit “A” attached hereto, and described as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition City of Rockwall, Rockwall County, Texas, which is situated at the southeast corner of SH-205 and Yellow Jacket Lane, and also known as 1901 S. Goliad Street, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for a “Pawnshop” within a Commercial (C) zoning district as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

SECTION 2. That the Subject Property shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) and as set forth in the Unified Development Code [Ordinance No. 04-38] as heretofore amended, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a "Pawnshop" as a use for an existing commercial facility on the *Subject Property*, and conformance to these operational conditions on required for continued operations:

1. The "Pawnshop" shall be limited in its operations to an area of approximately nine (900) hundred square feet for the area designated as "Suite 1" as depicted in Exhibit "A" attached hereto and;
2. That incidental display and outside storage shall be strictly prohibited.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE _____ DAY OF _____, 2013.

David Sweet, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading:

2nd Reading:

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/18/2013

APPLICANT: Cameron Slown

AGENDA ITEM: Z2013-029; Groom Senior Living Center – SUP

SUMMARY:

Hold a public hearing to discuss and consider a request by Cameron Slown on behalf of Med-Tech Construction, Inc. for the approval of a Specific Use Permit for an assisted living facility on a 0.96-acre tract of land identified as Lots 2 & 5, Block 1 of the Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57), and located southeast of the corner of the intersection of H. Wallace Lane and Jeff Boyd Drive, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Cameron Slown of F.C. Cuny Corp., on behalf of Brian Berry and Med-Tech Construction, is requesting a (SUP) Specific Use Permit to allow for an assisted living facility to be located along Jeff Boyd Circle, just west of the intersecting Wallace Road. The proposed facility will be located on Lots 2 & 5, Block 1 of the Alliance Addition; will be an approximately 7,000 sq-ft building housing approximately 16 residents. The property is zoned (PD-57) Planned Development No. 57 and has an underlying zoning of (C) Commercial district.

The (UDC) Unified Development Code refers to an Assisted Living facility under Article IV Permissible Uses, Sec. 2.1.3. Institutional and community service use conditions as follows:

Assisted living facility,

- 1. A facility licensed under V.T.C.A., Health and Safety Code, Ch. 247, that furnishes in one or more buildings, food and shelter to persons who are unrelated to the proprietor of the establishment, and also provides personal care services as defined by state law.*
- 2. For purposes of this [Unified Development Code], "assisted living facility" shall include establishments that accommodate seven or more residents. For facilities with six or fewer, see "Group or community home" ...*

In your packet is a conceptual site plan/zoning exhibit for your review and consideration.

NOTIFICATION:

On October 31, 2013 staff mailed three (3) notices to the property owners representing fourteen (14) properties within 200 feet of the subject property. Additionally, staff posted signage along the street frontage adjacent to the subject property, as required by the UDC. At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

Should the request be approved, staff would offer the following additional conditions:

1. If approved, the SUP shall adhere to the development standards established in PD-57.
2. If approved, the development will require a full site plan review and is subject to review by the Architectural Review Board (ARB).
3. Adherence to all Engineering and Fire Department standards.

PLANNING AND ZONING RECOMMENDATION:

On November 12, 2013, the Planning and Zoning Commission recommended approval of the SUP with staff conditions by a vote of 7 to 0.



Z2013-029- GROOM SENIOR LIVING SUP
ZONING - LOCATION MAP =



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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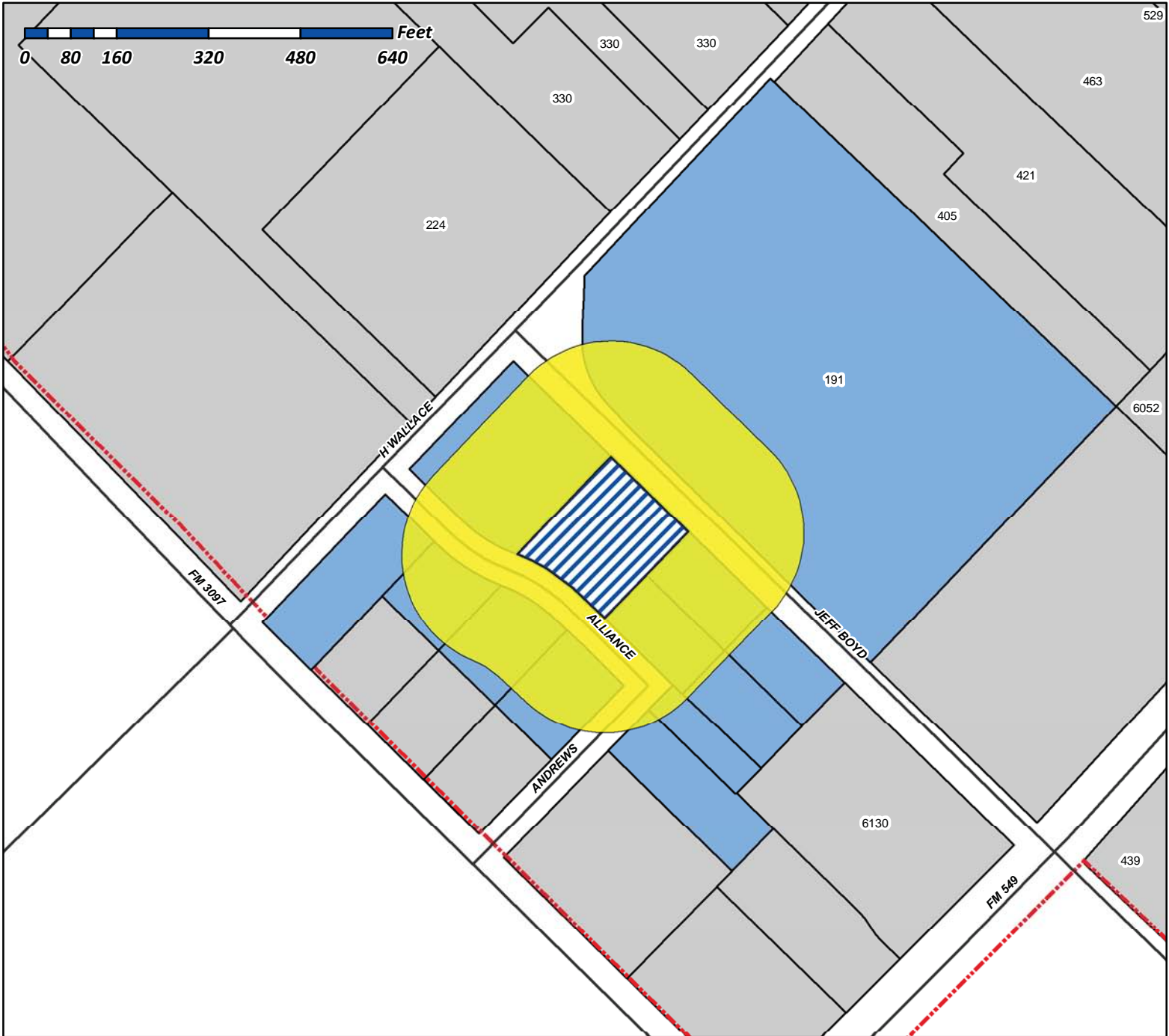
110 1:2,500



City of Rockwall

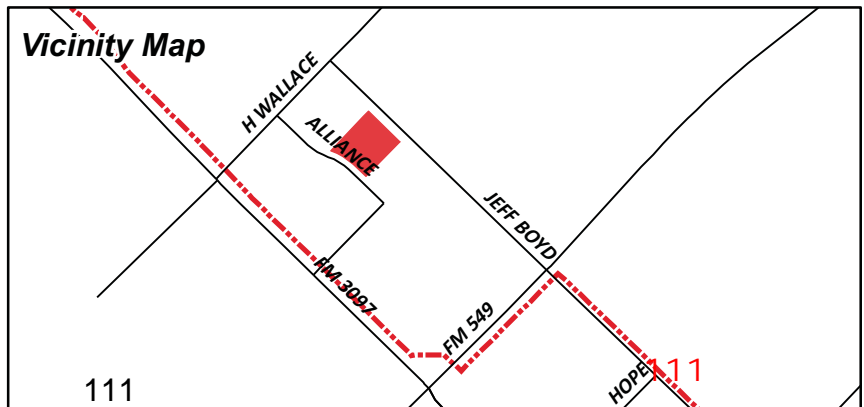
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2013-029
Case Name: Groom Senior Living
Case Type: Specific Use Permit
Zoning: PD - 57
Case Address: Jeff Boyd

Date Created: 10/21/2013
 For Questions on this Case Call (972) 771-7745



CROSS_REF	Name	legal_desc	Address 1	Address 2	Address 3	City	State	zip
3039-0001-0002-00-OR	ROCKWALL RENTAL PROPERTIES LP	ALLIANCE ADDITION PH 2, BLOCK 1, LOT 2, ACRES .46		PO BOX 818		TERRELL	TX	75160
3039-0001-0006-00-OR	ROCKWALL RENTAL PROPERTIES LP	ALLIANCE ADDITION PH 2, BLOCK 1, LOT 6, ACRES 0.4600		PO BOX 818		TERRELL	TX	75160
3039-0001-0000-00-OR	EAGLE TX I SPE LLC DBA EAGLE LONE STAR I SPE LLC	ALLIANCE ADDITION PH 2, BLOCK 1, LOT 0, ACRES .29, FIRELANE ACCESS & UTILITY EASEMENT	C/O BRANCH BANKING AND TRUST COMPANY	ATTN PID 1820	2000 INTERSTATE PARK SUITE 400	MONTGOMERY	AL	36109
3039-0001-0003-00-OR	ROCKWALL RENTAL PROPERTIES LP	ALLIANCE ADDITION PH 2, BLOCK 1, LOT 3, ACRES 0.4600		PO BOX 818		TERRELL	TX	75160
3039-0001-0005-00-OR	ROCKWALL RENTAL PROPERTIES LP	ALLIANCE ADDITION PH 2, BLOCK 1, LOT 5, ACRES 0.4800		PO BOX 818		TERRELL	TX	75160
3039-0001-0007-00-OR	ROCKWALL RENTAL PROPERTIES LP	ALLIANCE ADDITION PH 2, BLOCK 1, LOT 7, ACRES 0.4600		PO BOX 818		TERRELL	TX	75160
3039-0001-0001-00-OR	ROCKWALL RENTAL PROPERTIES LP	ALLIANCE ADDITION PH 2, BLOCK 1, LOT 1, ACRES 1.4, 2 DETENTION POND EASEMENT		PO BOX 818		TERRELL	TX	75160
3039-0001-0004-00-OR	ROCKWALL RENTAL PROPERTIES LP	ALLIANCE ADDITION PH 2, BLOCK 1, LOT 4, ACRES 0.4600		PO BOX 818		TERRELL	TX	75160
3039-0001-0008-00-OR	ROCKWALL RENTAL PROPERTIES LP	ALLIANCE ADDITION PH 2, BLOCK 1, LOT 8, ACRES 0.700		PO BOX 818		TERRELL	TX	75160
3039-0002-0002-00-OR	ROCKWALL RENTAL PROPERTIES LP	ALLIANCE ADDITION PH 2, BLOCK 2, LOT 2, ACRES 0.4400		PO BOX 818		TERRELL	TX	75160
3039-0002-0003-00-OR	ROCKWALL RENTAL PROPERTIES LP	ALLIANCE ADDITION PH 2, BLOCK 2, LOT 3, ACRES 0.5500		PO BOX 818		TERRELL	TX	75160
3039-0002-0004-00-OR	ROCKWALL RENTAL PROPERTIES LP	ALLIANCE ADDITION PH 2, BLOCK 2, LOT 4, ACRES 0.5700		PO BOX 818		TERRELL	TX	75160
3039-0002-0001-00-OR	ROCKWALL RENTAL PROPERTIES LP	ALLIANCE ADDITION PH 2, BLOCK 2, LOT 1, ACRES 0.850		PO BOX 818		TERRELL	TX	75160
0080-0000-0008-03-OR	HUNT JACKSON W JR	A0080 W W FORD, TRACT 8-3, ACRES 12.250 (PT OF 18.0919 AC TR		191 JEFF BOYD RD		ROCKWALL	TX	75032



F C Cuny Corporation

#2 Horizon Court, Ste. 500

Heath, Texas 75032

(469) 402-7700 telephone

(469) 402-0700 fax

October 17, 2013

Robert LaCroix
City of Rockwall
Planning Department
385 S. Goliad Street
Rockwall, TX 75087
(972) 771-7745

Dear Robert,

On behalf of Brian Berry and Med-Tech Construction, Inc. we would like to make a special use permit (SUP) submittal for lots number 2 and 5 of Block 1 in the Alliance Addition Phase 2, which is located near the corner of Horizon Road and Wallace Lane in a planned development (PD-57) zoning district.

As written in the PD-57 Ordinance, development at the previously mentioned property is to, "be limited to the uses and area requirements of the (C) Commercial zoning district." The proposed use for the development on lots 2 and 5 will be an assisted living facility and as seen in the Land Use Schedule Table 1 of the City of Rockwall's Unified Development Code an Assisted Living Facility located in a Commercial (C) zoning district is allowed with the submittal of a SUP.

In this submittal and future submittals the zoning requirements for PD-57 will be upheld.

Thank you very much for your time and consideration in this matter and if you have any questions or concerns please feel free to contact me at (469) 402-7700 ext. 5.

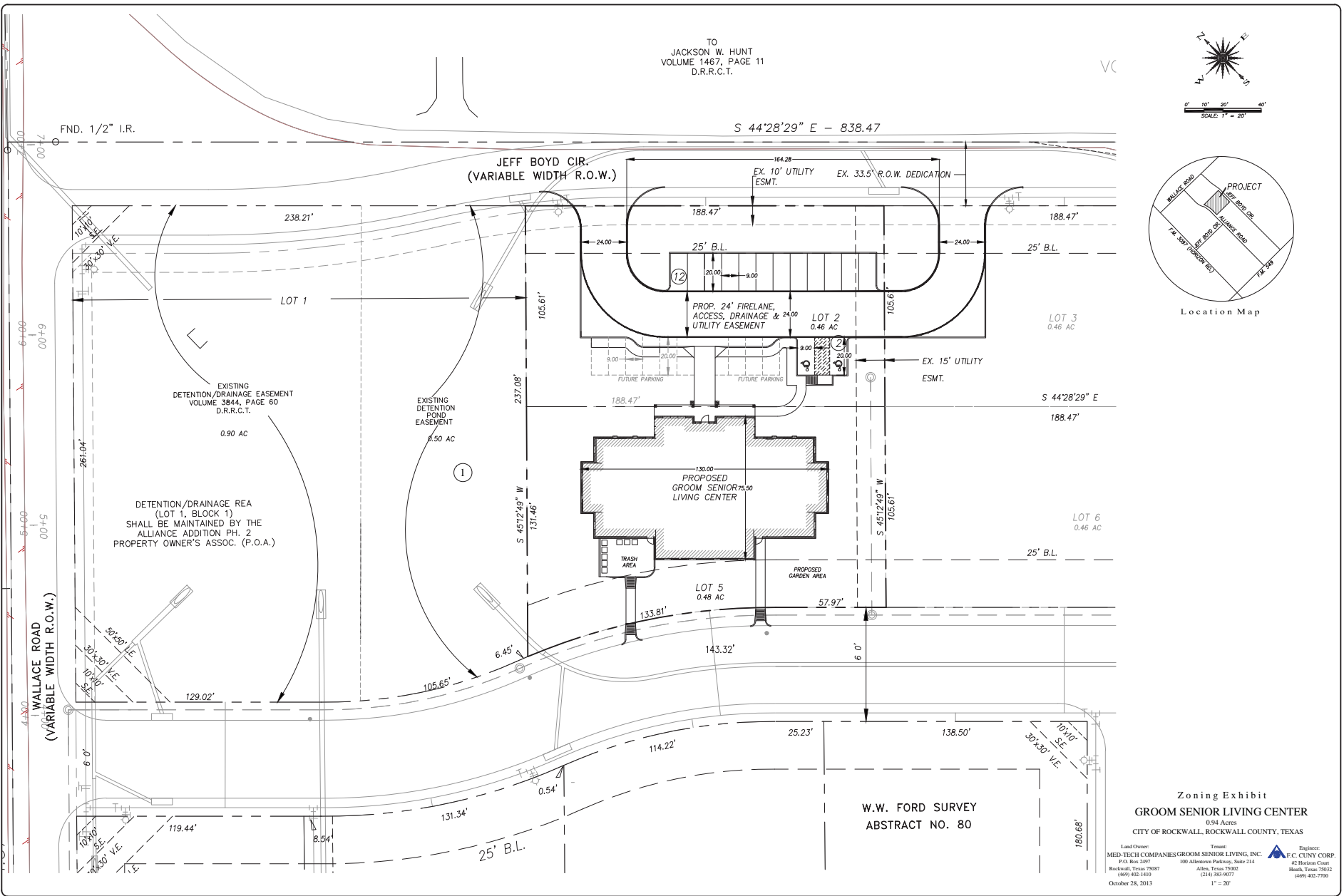
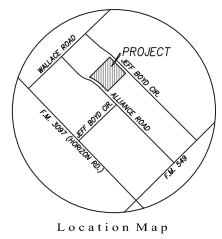
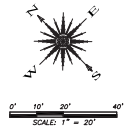
Sincerely,

Cameron Slown, P.E.

F. C. Cuny Corporation

TO
JACKSON W. HUNT
VOLUME 1467, PAGE 11
D.R.R.C.T.

VC



W.W. FORD SURVEY
ABSTRACT NO. 80

Zoning Exhibit
GROOM SENIOR LIVING CENTER
0.94 Acres
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Land Owner: MED-TECH COMPANIES GROOM SENIOR LIVING, INC.
F.O. Box 2097
Rockwall, Texas 75087
(972) 482-1410
October 28, 2013

Tenant: F.C. CLINY CORP.
100 Altonway Parkway, Suite 214
Allen, Texas 75002
(214) 383-0077
1" = 20'

Engineer: F.C. CLINY CORP.
42 Western Court
Heath, Texas 75012
(409) 402-7700

CITY OF ROCKWALL

ORDINANCE NO. 04-48

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, TO CHANGE THE ZONING FROM (AG) AGRICULTURAL DISTRICT TO (PD-57) PLANNED DEVELOPMENT NO. 57 DISTRICT ON AN 18.99-ACRE TRACT KNOWN AS TRACT 1-1, ABSTRACT 80, W.W. FORD SURVEY AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Robert S. Whittle for a change in zoning from (Ag) Agricultural district to (PD-57) Planned Development No. 57 district for an 18.99-acre tract known as Tract 1-1, Abstract 80, W.W. Ford Survey and more specifically described in Exhibit "A" attached hereto and made a part hereof for all purposes; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning on a tract of land which is more fully described herein as Exhibit "A" from (Ag) Agricultural district to (PD-57) Planned Development District No. 57, and;

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future and subject to the following additional conditions:

1. That the property adheres to the approved concept/preliminary plan attached hereto as Exhibit "B," and be limited to the uses and area requirements of the (C) Commercial zoning district.
2. In addition to the uses and requirements outlined for the (C) Commercial district in Article IV, Table 1, "Land Use Tables" of the City's comprehensive zoning ordinance, as amended, a landscape supply and plant nursery with outside storage and display shall be allowed with a Specific Use Permit.

3. All proposed developments shall be subject to final platting and site plan review.
4. All proposed developments shall be subject to review by the Architectural Review Board.
5. A landscape buffer with a minimum average width of 15-feet shall be required along FM 3097, FM 549, Jeff Boyd Dr and Wallace Road. The buffer shall include a minimum tree planting of three (3) canopy trees and four (4) accent trees per one hundred linear feet of frontage. Additionally, a living screen consisting of a combination of berms, shrubbery and/or screening walls shall be installed along Jeff Boyd Drive and Wallace Lane.
6. All four (4) facades of each building throughout the development shall be constructed with a consistent design scheme and materials as approved by the Architectural Review Board. Additionally, all buildings shall meet the masonry requirements as set out in the comprehensive zoning ordinance of the city, as amended, excluding concrete tilt wall and other masonry materials of similar characteristics. The use of integral-color concrete block with a finished face shall be limited to 10% of any façade visible from adjacent right-of-way. The use of synthetic products (e.g. Hardy Plank, or other materials approved by the Building Official) shall be limited to 50% of the buildings exterior finishes, exclusive of windows and doors. Furthermore, the use of said synthetic products shall be prohibited within eight feet of the finished floor elevation; however, this area may include up to 30% hardy plank. Natural materials such as stone, cast stone and brick shall be used within the first eight feet of the building façade.
7. All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.
8. Dumpsters shall be screened with materials consist with the primary structures and be oriented so as not to face a public street.
9. All permanent free standing signs shall be monument signs not exceeding (5) feet in height or a maximum of sixty (60) square feet in area per sign face.
10. In addition to the requirements of the outdoor lighting requirements no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation, or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance of


the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 16th day of August, 2004.

ATTEST:




Dorothy Brooks, City Secretary



Ken Jones, Mayor

APPROVED AS TO FORM:



Pete Eckert, City Attorney

1st Reading: 8-2-04

2nd Reading: 8-16-04

STATE OF TEXAS *
COUNTY OF ROCKWALL *

WHEREAS ROBERT S. WHITTLE, is the owner of all of that certain lot, tract or parcel of land situated in the W.W. FORD SURVEY, ABSTRACT NO. 80, City of Rockwall, Rockwall County, Texas, and being a portion of that 18.9534 acres tract of land as described as Tract 2 in a Warranty deed from A & F Andrews Family Partnership to Whittle Development, Inc., dated January 22, 2002, and being recorded in Volume 2402, Page 31 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a P-K nail set for corner in the centerline of the pavement of Wallace Road at its intersection with the Northeast right-of-way line of F.M. Highway 3097, said point being the West corner of the above cited 18.9534 acres tract;

THENCE N. 45 deg. 05 min. 05 sec. E. along the center of Wallace Road, a distance of 664.58 feet to a P-K nail found for corner;

THENCE S. 44 deg. 23 min. 19 sec. E., at 25.00 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 849.53 feet to a 1/2" iron rod found for corner in the edge of pavement of Jeff Boyd Road;

THENCE S. 44 deg. 56 min. 25 sec. E. a distance of 404.93 feet to a 1/2" iron rod found for corner in the Northwest right-of-way line of F.M. Highway 549;

THENCE S. 46 deg. 04 min. 42 sec. W. along said right-of-way line, a distance of 568.99 feet to a concrete highway monument found for corner at a flare in said right-of-way line;

THENCE N. 88 deg. 52 min. 25 sec. W. along said flare in right-of-way, a distance of 144.11 feet to a concrete highway monument found for corner in the Northeast right-of-way line of F.M. Highway 3097;

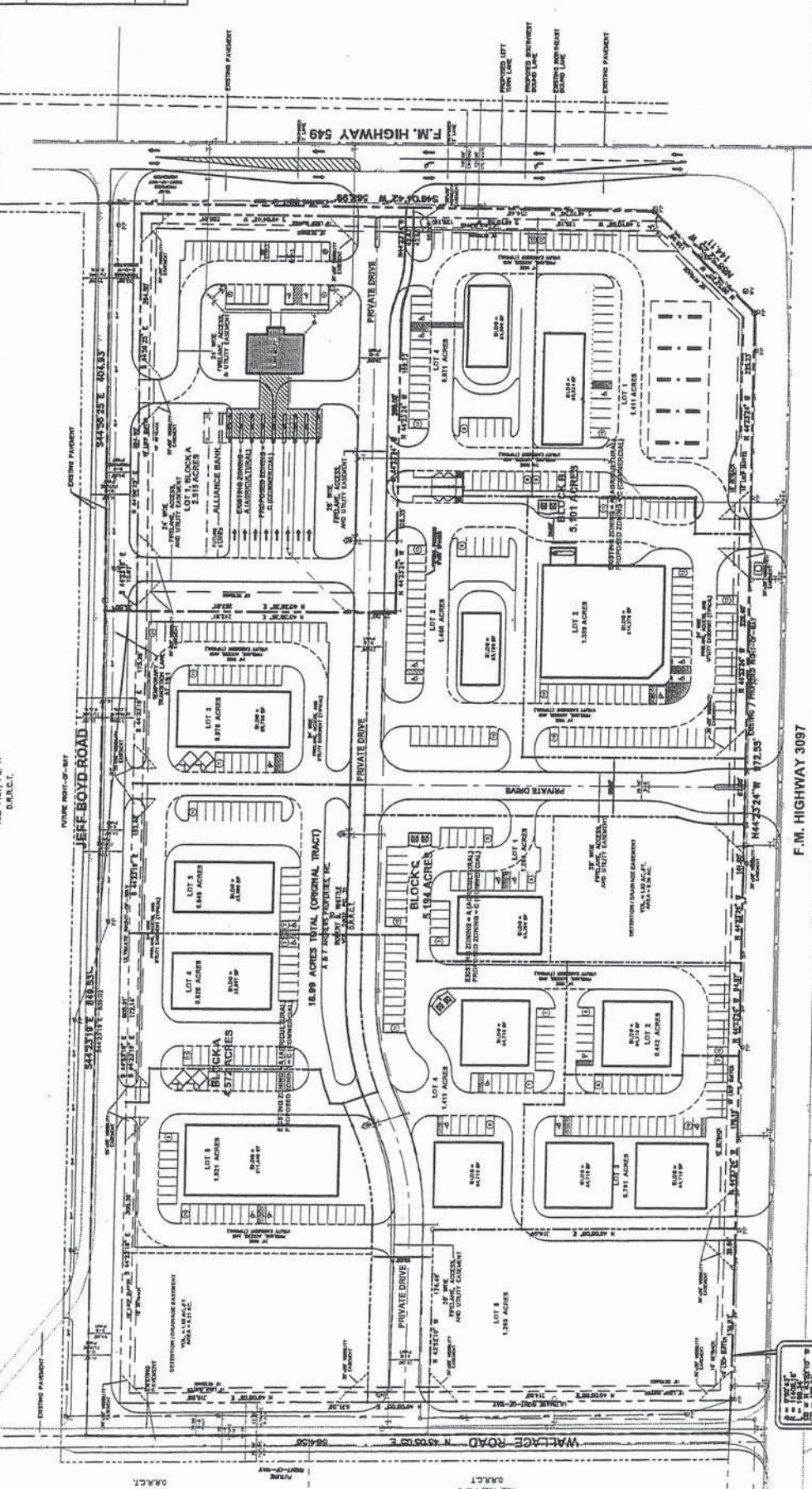
THENCE N. 44 deg. 23 min. 24 sec. W. along said right-of-way line, a distance of 972.55 feet to a concrete highway monument found for corner;

THENCE in a Northwesterly direction along a curve to the right having a central angle of 00 deg. 50 min. 43 sec., a radius of 11409.16 feet, a tangent of 84.17 feet, a chord of N. 43 deg. 52 min. 10 sec. W., 168.34 feet along said right-of-way, an arc distance of 168.34 feet to the **POINT OF BEGINNING** and containing 18.99 acres of land.

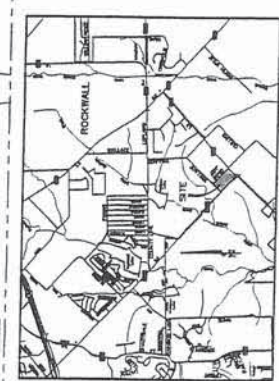
EXHIBIT "B"

Project No.	020040024
Date	JUNE 2004
Drawn by	MSA
Designed by	MSA
Scale	1" = 50' 0"
SHEET	1
OF	

No.	Date	Revisions



RECEIVED
 JUL 07 2004
 By



ALLIANCE ADDITION
 ENGINEER: ROCKWALL DEVELOPMENT CO., INC.
 1804 S. FM 501
 2700 MARK CENTRAL DRIVE
 HEATH, TX 75042
 CONTACT: INDIAS E. BILKOVSKA, P.E.
 (PH) 972-763-3300
 (PH) 972-763-3434
 (FAX) 972-772-6867

MARGARET ANNE WALLACE HORTON
 VOL. 152, PG. 13
 D.A.R.C.T.

MARY JEAN WALLACE ADERT
 VOL. 152, PG. 9
 D.A.R.C.T.

Z2004-024 Alliance Addition - (Ag) to (PD-57) 2004-028



Z2004-024
Alliance Bank



1" = 400'

CITY OF ROCKWALL

ORDINANCE NO. 13-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO ALLOW FOR AN “ASSISTED LIVING FACILITY” ON A 0.96-ACRE TRACT OF LAND IDENTIFIED AS LOTS 2 & 5, BLOCK 1 OF THE ALLIANCE ADDITION, AND FURTHER DESCRIBED IN EXHIBIT “A” ATTACHED HERETO, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 57 (PD-57), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) for an “Assisted Living Facility” within Planned Development District No. 57 (PD-57) has been requested by Cameron Slown and on behalf of Med-Tech Construction, on a 0.96-acre tract of land, and identified as Lots 2 & 5, Block 1 of the Alliance Addition and further described in Exhibit “A” attached hereto, City of Rockwall, Rockwall County, Texas, and which is situated southeast of the corner of the intersection of H. Wallace Lane and Jeff Boyd Drive, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for an “Assisted Living Facility” within Planned Development District No. 57 (PD-57) as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

SECTION 2. That the Subject Property shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) and as set forth in the Unified Development Code [Ordinance No. 04-38] as heretofore amended, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

Z2013-029: Groom Senior Living Center – SUP (Assisted Living Facility)
Ordinance No.____; SUP
No.____

The following conditions pertain to the operation of an “Assisted Living Facility” on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

1. The “Assisted Living Facility” shall adhere to the development standards established in Planned Development District No. 57 (PD-57) for the property described in Exhibit “A” attached hereto and;
2. The development will require site plan approval and is subject to review by the Architectural Review Board (ARB) as stipulated in Planned Development District No. 57 (PD-57).

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE _____ DAY OF _____, 2013.

David Sweet, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading:

2nd Reading:

EXHIBIT "A"

FIELD NOTES DESCRIPTION:

PART of the W. W. Ford Survey, Abstract No. 80, situated in the City of Rockwall, Rockwall County, Texas, embracing all of Lots 2 and 5, Block 1 of Alliance Addition Phase 2, an addition to the City of Rockwall, Rockwall County, Texas as shown on the plat recorded in Cabinet G, Slide 301 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for the west corner of said lot 5, and the south corner of Lot 1 of said Alliance Addition, said point also lying on the northeast line of Alliance Drive, a 60 feet wide right of way;

THENCE North 45 degrees 12 minutes 49 seconds East, along the common line of said Lots 1, and 5, passing the west corner of said Lot 2 at 131.46 feet, and continuing along the common line of said Lots 1 and 2, a total distance of 237.08 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for the north corner of said lot 2, said point also lying on the southwest line of a 33.5 foot right-of-way dedication;

THENCE South 44 degrees 28 minutes 29 seconds East, along the northeast line of said Lot 2 and the southwest line of said right-of-way dedication, a distance of 188.47 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for the east corner of said Lot 2, and the north corner of Lot 3 of said Alliance Addition;

THENCE South 45 degrees 12 minutes 49 seconds West, along the common line of said Lots 2, and 3, passing the east corner of said Lot 5, and the north corner of Lot 6 of said Alliance Addition, at 105.61 feet, and continuing along the common line of said Lots 5 and 6, a total distance of 211.22 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for the south corner of said lot 5, said point also lying on the aforementioned northeast line of Alliance Drive;

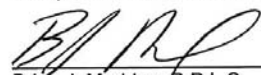
THENCE North 44 degrees 28 minutes 29 seconds West, along said northeast line of Alliance Drive, a distance of 57.97 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found at the beginning of a curve to the left, having a radius of 330.00 feet, a central angle of 23 degrees 13 minutes 58 seconds, and a chord which bears North 55 degrees 41 minutes 31 seconds West, 132.90 feet;

THENCE along said curve to the left an arc distance of 133.81 feet to the **POINT OF BEGINNING** and containing 40,895 square feet or 0.938 of an acre of land.

The Basis of Bearings is the Final Plat of Alliance Addition Phase 2, an addition to the City of Rockwall, Rockwall County, Texas recorded in Cabinet G, Slide 301 of the Plat Records of Rockwall County, Texas.

Surveyors Certification

I, **Brian J. Maddox**, Registered Professional Land Surveyor Number 5430, State of Texas, do hereby certify to that this description was prepared from the public records.



Brian J. Maddox, R.P.L.S.
October 17, 2013



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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/18/2013
APPLICANT: Jim Smylie
AGENDA ITEM: Z2013-030; Rezone (AG to C)

SUMMARY:

Hold a public hearing to discuss and consider a request by Jim Smylie on behalf of Bill Burns for the approval of a zoning change from Agricultural (Ag) District to a Commercial (C) District for a 9.77-acre tract of land identified as Lots 18 & 19 of Rainbow Acres, City of Rockwall, Rockwall County, Texas, located at the southeastern corner of the intersection of Ranch Trail Road and County Line Road, and take any action necessary.

BACKGROUND INFORMATION:

The subject properties are identified as Lots 18 & a portion of Lot 19 of the Rainbow Acres Addition. The properties combine for a total of approximately 9.76-acre tract of land, and are currently zoned (AG) Agricultural District. The City's Comprehensive Plan in association with the Future Land Use Map indicates the properties as "medium density – single family residential," however, this designation is based on a single family home that once existed on this site. The properties along Ranch Trail represent a commercially zoned area with the exception of one (1) property zoned SFE-4.0 that is south of the proposed location.

The purpose of the request is to change the zoning from an (AG) Agricultural District to a (C) Commercial District for the purpose of developing the property as an Animal Boarding/Kennel facility *without* outside pens. This particular use is permitted by right in the (C) Commercial District.

It should be noted that the remainder portion of Lot 19, which is located on the northeast corner of the lot, contains a cell tower that is currently on a thirty (30) year lease and will retain its current zoning of AG.

In your packet are letters requesting the zoning and permission from the property owner, a boundary survey indicating the area to be zoned, and the Land Use Table designating the proposed permitted use by right that is allowed within the C district for your review and consideration.

ADJACENT PROPERTIES ZONING DISTRICTS:

The zoning adjacent to the subject property are as follows:

North: The zoning directly north of the subject property is (PD-75) Planned Development No. 75.

South: The zoning directly south of the subject property is (C) Commercial District.

East: The zoning directly east of the subject property is (AG) Agricultural District.

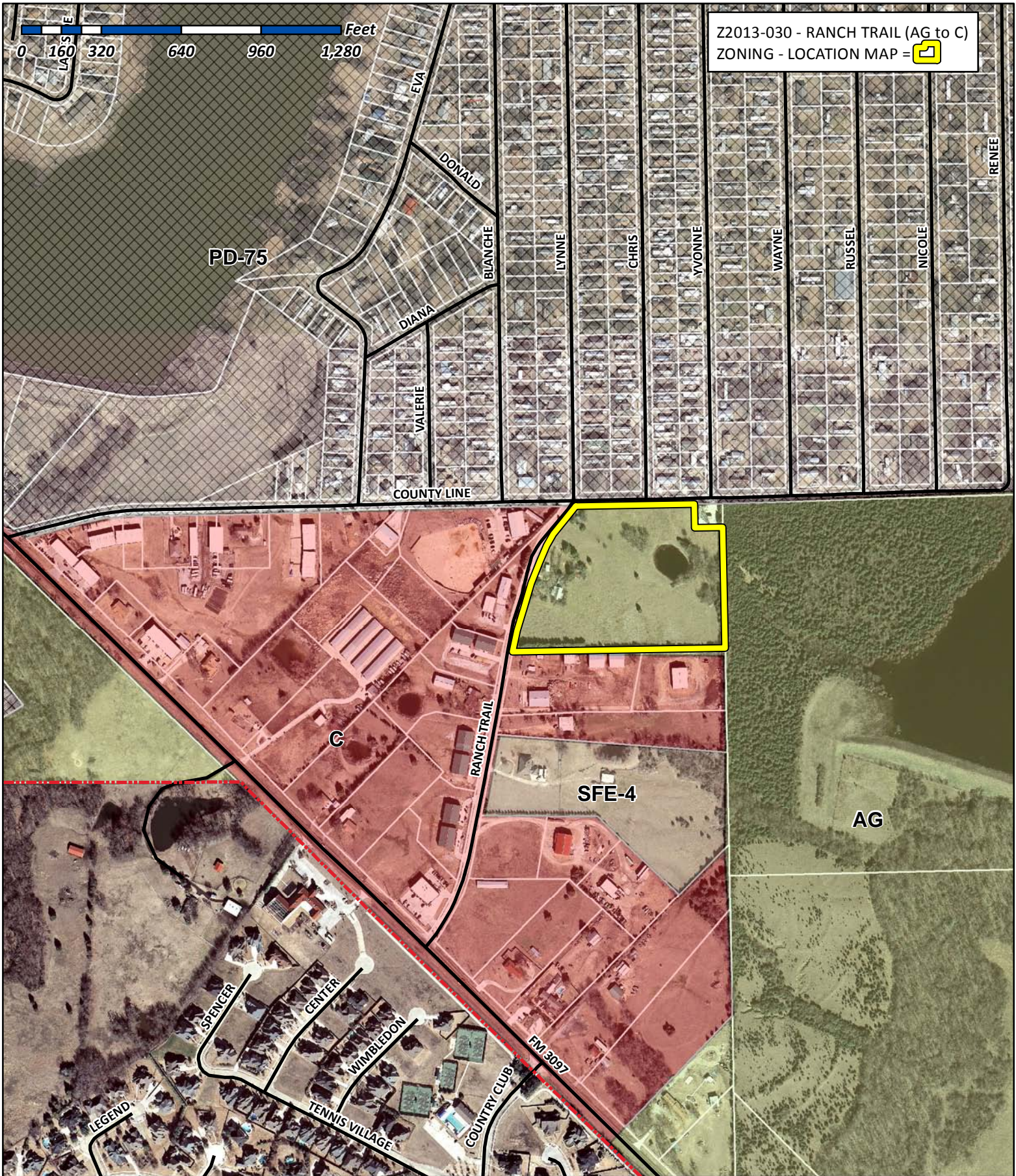
West: The zoning directly west of the subject property is (C) Commercial District.

NOTIFICATION:

On October 31, 2013 staff mailed nineteen (19) notices to property owners within 200 feet of the subject property. Additionally, staff posted signage along street frontage adjacent to the subject property, as required by the UDC. At the time this case memo, staff has received two (2) responses "in favor of" and one (1) notice "opposed to" the request.

RECOMMENDATION:

On November 12, 2013, the Planning and Zoning Commission recommended approval of the request to rezone the property from AG to C by a vote of 7 to 0.



Z2013-030 - RANCH TRAIL (AG to C)
 ZONING - LOCATION MAP = [icon]



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



CROSS_REF	First Name	Name	legal_desc	Address 1	Address 2	Address 3	City	State	zip
5380-0000-0983-A0-OR		ARCHIBALD L D & CARLA R REVOCABLE	ROCKWALL LAKE EST #2, LOT 983-A	LIVING TRUST	238 ARNOLD ST	APT B	ENNIS	TX	75119
5380-0000-0984-A0-OR		ROCKWALL HOUSING DEVELOPMENT CORPORATION	ROCKWALL LAKE EST #2, LOT 984A		787 HAIL DRIVE		ROCKWALL	TX	75032
5380-0000-1062-00-OR		CANIZALES ELIDA VILLAREAL	ROCKWALL LAKE EST #2, LOT 1062, MH SERIAL # 12313718A & B, LABEL # TEX0361541 & 4:		760 COUNTY LINE RD		ROCKWALL	TX	75032
5380-0000-1063-00-OR		JIMENEZ RICARDO	ROCKWALL LAKE EST #2, LOT 1063, MH SERIAL # OC059912718, TITLE # 01278358, LABEL # PFS056025		2847 TANGLEGLEN DR		ROCKWALL	TX	75032
5380-0000-1141-00-OR		CASTELL EDWARD E & LETICIA	ROCKWALL LAKE EST #2, LOT 1141, MH SERIAL # 801410910SA LABEL # , MARSHFIELD		121 YVONNE DR		ROCKWALL	TX	75032
5380-0000-1142-00-OR		AGUILAR IRMA	ROCKWALL LAKE EST #2, LOT 1142, LHRAD0998015, SHTXFLV12A78546FD1:		266 LAKESIDE DR		ROCKWALL	TX	75032
5380-0000-0982-A0-OR		HOSEY JERRIE	ROCKWALL LAKE EST #2, LOT 982A		131 LYNNE DR		ROCKWALL	TX	75032
5380-0000-0985-A0-OR		OLGUIN CIRILO	ROCKWALL LAKE EST #2, LOT 985A		412 CHRIS DR		ROCKWALL	TX	75032
5380-0000-1061-00-OR		RANGEL ADELA	ROCKWALL LAKE EST #2, LOT 1061		1510 BAYSHORE DR		GARLAND	TX	75040
5380-0000-0903-A0-OR		VARGAS RICARDO	ROCKWALL LAKE EST #2, LOT 902A,903A,904A, MH SERIAL # C72206		149 BLANCHE DR		ROCKWALL	TX	75032
5380-0000-0905-A0-OR		FERNANDEZ URBANO	ROCKWALL LAKE EST #2, LOT 905A, 906A		1235 VZ CR3425		WILLS POINT	TX	75169
5380-0000-1139-00-OR		JONES CHARLES WILLARD	ROCKWALL LAKE EST #2, LOT 1138,1139,1140, MH SERIAL # 60954659, RITZCRAFI		141 YVONNE DR		ROCKWALL	TX	75032
4720-0000-0017-01-OR		WILLIAMS RONNIE L & KIM A	RAINBOW ACRES, LOT 17-1, ACRES 3.00		17 HILLSIDE DR		ROCKWALL	TX	75087
5380-0000-1064-00-OR		HERNANDEZ SONIA BETANCOURT	ROCKWALL LAKE EST #2, LOT 1064, MH SERIAL # JG190482L LABEL # , NEW MOON		134 YVONNE DR		ROCKWALL	TX	80403
0080-0000-0043-01-OR		WALLACE LAND PARTNERS L P	A0080 W W FORD, TRACT 43-01, ACRES 131.39, (PT OF 259.924 AC TR		6271 HORIZON RD		ROCKWALL	TX	75032
4720-0000-0018-00-OR		BELEW THOMAS E & ETAL	RAINBOW ACRES, LOT 18 & 19, ACRES 10		2 NORMAN TRL		ROCKWALL	TX	75087
4720-0000-0018-00-OR		BELEW THOMAS E & ETAL	RAINBOW ACRES, LOT 18 & 19, ACRES 10		2 NORMAN TRL		ROCKWALL	TX	75087
0080-0000-0026-01-OR		BIG LEAGUE SPORTS ACADEMY INC	A0080, W W FORD, TRACT 26-1, 3.87 ACRES		405 CHATHAM ST		SUNNYVALE	TX	75182
4374-000A-0003-00-OR	WARD LAWN ENTERPRISES	HENDERSON EDDI	MAVERICK RANCH, BLOCK A, LOT 3, ACRES 1.963 (HOMESITE)		302 RANCH TRL		ROCKWALL	TX	75032
4720-0000-0017-00-OR		WILLIAMS RONNIE L & KIM A	RAINBOW ACRES, LOT 17, ACRES 2.04		17 HILLSIDE DR		ROCKWALL	TX	75087
4374-000A-0002-00-OR	WARD LAWN ENTERPRISES	JERRY KISICK CUSTOM HOMES INC	MAVERICK RANCH, BLOCK A, LOT 2, ACRES 1.360	PROFIT SHARING TRUST	6505 W PARK BLVD	STE 306	PLANO	TX	75093
4374-000A-0001-00-OR	WARD LAWN ENTERPRISES	JERRY KISICK CUSTOM HOMES INC	MAVERICK RANCH, BLOCK A, LOT 1, ACRES 1.203	PROFIT SHARING TRUST	6505 W PARK BLVD	STE 306	PLANO	TX	75093



**NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT**

Phone: (972) 771-7745
Email: Planning@Rockwall.com

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2013-030: Ranch Trail Zoning Change (AG to C)

Hold a public hearing to discuss and consider a request by Jim Smylie on behalf of Bill Burns for the approval of a zoning change from Agricultural (Ag) District to a Commercial (C) District for a 9.77-acre tract of land identified as Lots 18 & 19 of Rainbow Acres, City of Rockwall, Rockwall County, Texas, located at the southeastern corner of the intersection of Ranch Trail Road and County Line Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/12/2013 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/18/2013 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087**

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **11/18/2013** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: [HTTP://WWW.ROCKWALL.COM/PLANNING/ZONINGCHANGES.ASP](http://www.rockwall.com/planning/zoningchanges.asp)

----- PLEASE RETURN THE BELOW FORM -----

Case No. Z2013-030: Ranch Trail Zoning Change (AG to C)

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

ALL PROPERTY ON RANCH TRAIL IS ZONED COMMERCIAL

Name: _____
Address: _____

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Gonzales, David

From: Sanford, JoDee on behalf of Planning
Sent: Monday, November 11, 2013 8:12 AM
To: Gonzales, David
Subject: FW: Case No. Z2013-030: Ranch Trail Zoning Change

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | <http://www.rockwall.com>

From: Linda Turrentine [<mailto:lindaturrentine@att.net>]
Sent: Sunday, November 10, 2013 2:44 PM
To: Planning
Subject: Case No. Z2013-030: Ranch Trail Zoning Change

We have no objection to the proposed zoning change. However, do have the request to run natural gas down Ranch Trail. It appears that Ranch Trail had been side stepped/missed for the natural gas after it was annexed into the City of Rockwall.

Thank you for your consideration,
Linda Turrentine
Eddie Henderson (registered property owner)
302 Ranch Trail
Rockwall 75032



**NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT**

Phone: (972) 771-7745
Email: Planning@Rockwall.com

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2013-030: Ranch Trail Zoning Change (AG to C)

Hold a public hearing to discuss and consider a request by Jim Smylie on behalf of Bill Burns for the approval of a zoning change from Agricultural (Ag) District to a Commercial (C) District for a 9.77-acre tract of land identified as Lots 18 & 19 of Rainbow Acres, City of Rockwall, Rockwall County, Texas, located at the southeastern corner of the intersection of Ranch Trail Road and County Line Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/12/2013 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/18/2013 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087**

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **11/18/2013** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: [HTTP://WWW.ROCKWALL.COM/PLANNING/ZONINGCHANGES.ASP](http://www.rockwall.com/planning/zoningchanges.asp)

----- PLEASE RETURN THE BELOW FORM -----

Case No. Z2013-030: Ranch Trail Zoning Change (AG to C)

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

[Redacted area]

Name: Hebe Rangel

Address: 125 CHRIS DR ROCKWALL TX 75032

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

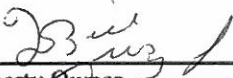
October 10, 2013

Rockwall Planning & Zoning
Robert LaCroix, AICP
Director of Planning
385 S. Goliad St.
Rockwall, Texas 75087

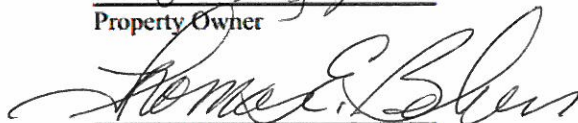
Mr. LaCroix:

As the real property owners of 407 Ranch Trail in Rockwall, Texas, also known as RAINBOW ACRES, LOT 18 & 19 (9.770 acres), we hereby grant permission to JTS Alliance/Jim Smiley to petition the City of Rockwall for a rezoning of the aforementioned property from Residential Multi-Family to Commercial.

Sincerely,



Property Owner



Property Owner

October 16, 2013

City of Rockwall
Honorable Mayor Sweet
City Council Members
Planning & Zoning Commission
385 S. Goliad
Rockwall, TX 75087

Dear Mayor Sweet, City Council Members, and Planning & Zoning Commission:

My name is Jim Smylie, President of JTS Alliance, Inc. and a resident of Heath, TX. I am requesting a zoning change for property ID# 20982, Rainbow Acres Lot 18 & 19, 407 Ranch Trail Road. This property is currently listed as farm ranch/residential and is a vacant lot. My request is to rezone Rainbow Acres Lot 18 & 19, 407 Ranch Trail Road to Commercial Property – Type C.

This request is initiated out of my desire to bring my business within the borders of the City of Rockwall. This zoning change request to commercial property would conform to the present use of surrounding businesses in this area. If this request is granted it will be an increase to the Rockwall tax base, enhance the street view of Ranch Trail and create a joint partnership with my company and the City of Rockwall. This partnership will share the common goal of making Rockwall one of the best places in the region to work, play and raise our families.

Thank you for your review of this request and please do not hesitate to contact me if you have any questions.

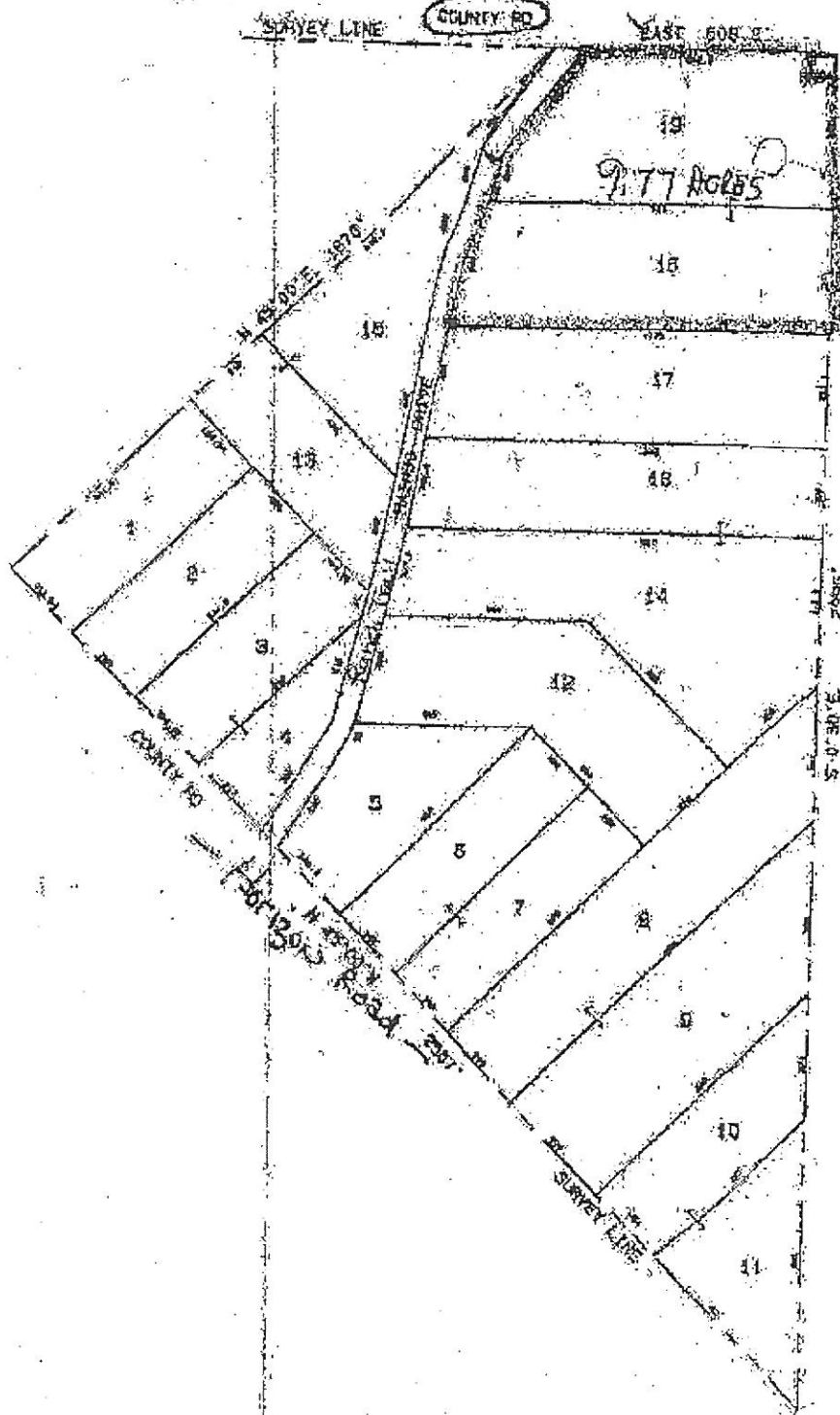
Best Regards,



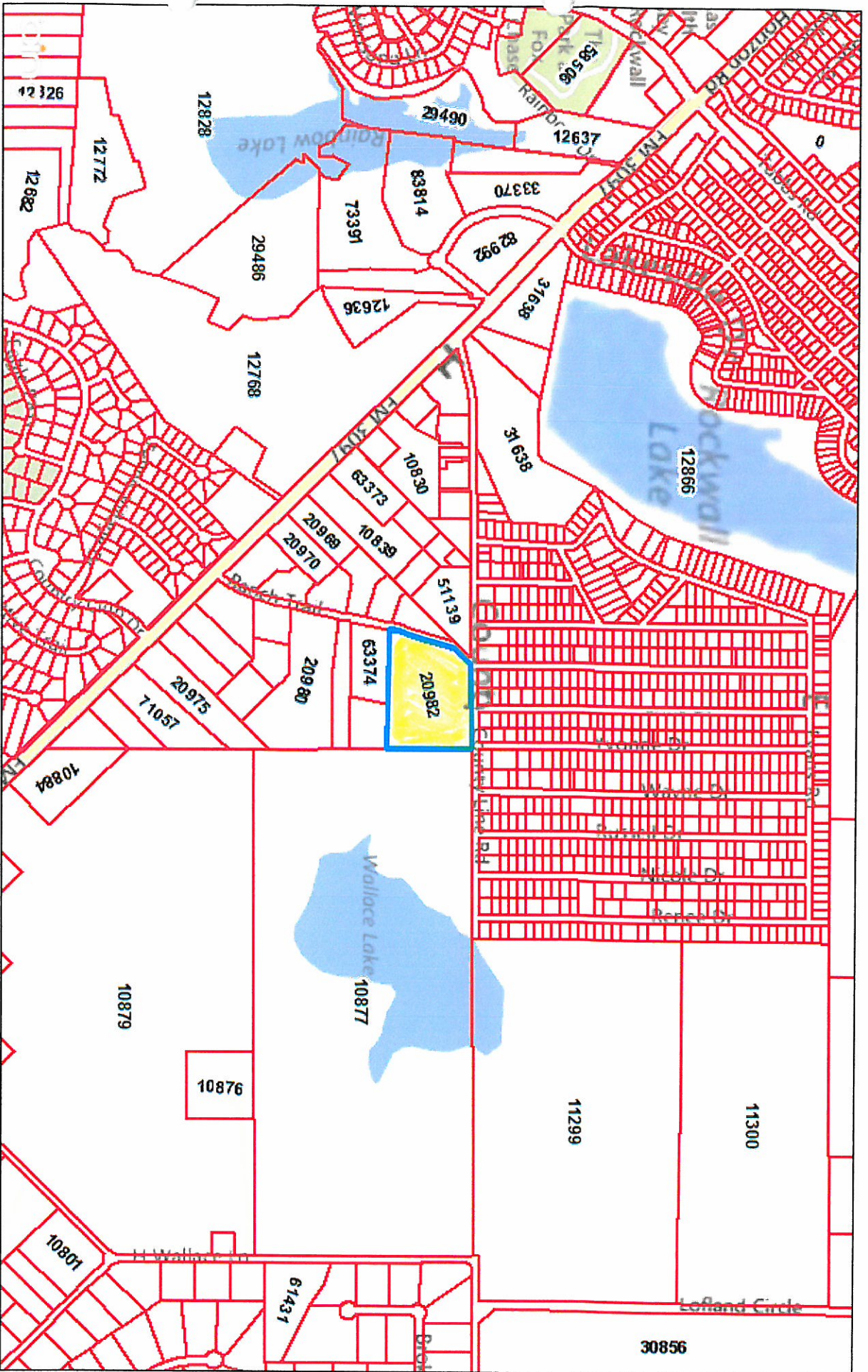
Jim Smylie
JTS Alliance, Inc.
469/585-0995

RAIN RO ACRES

4726



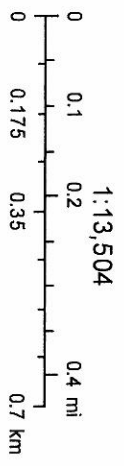
407 Ranch Trail



October 17, 2013

Parcels

Ownership_Information



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This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

CITY OF ROCKWALL

ORDINANCE NO. 13-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR A 9.76-ACRE TRACT OF LAND IDENTIFIED AS LOTS 18 & 19 OF RAINBOW ACRES, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Jim Smylie, and on behalf of Bill Burns (property owner), for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (Ag) District to a Commercial (C) District for a 9.76-acre tract of land identified as Lots 18 & 19 of Rainbow Acres, City and County of Rockwall, Texas, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from an Agricultural (Ag) District to a Commercial (C) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 4.5, "Commercial (C) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

Section 3. That the official zoning map of the City be corrected to reflect the changes in the zoning described herein.

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE ____ DAY OF _____, 2013.

David Sweet, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *Interim City Attorney*

1st Reading:
2nd Reading

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/18/2013

APPLICANT: Tallison Construction Company

AGENDA ITEM: P2013-031; Chandlers Landing Phase 16, Lt 23, Blk E

SUMMARY:

Discuss and consider a request by Fritz McKinstry for the approval of a replat creating Lot 23, Block E of Chandler's Landing, Phase 16 being currently identified as Lots 5R & 7R, Block E of Chandler's Landing, Phase 16, zoned Planned Development District 8 (PD-8), located at 257 & 265 Victory Lane, City of Rockwall, Texas, and take any action necessary.

COMMENTS:

- The purpose of this plat is to combine two (2) existing residential lots into one (1) residential lot.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.
- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the replat for Lot 23, Block E, Chandlers Landing Phase 16, staff offers the following condition of approval:

- 1) All comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- 2) Any construction resulting from the approval of this replat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 12, 2013, the Planning and Zoning Commission recommended approval of the replat per staff's recommendations by a vote of 7 to 0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

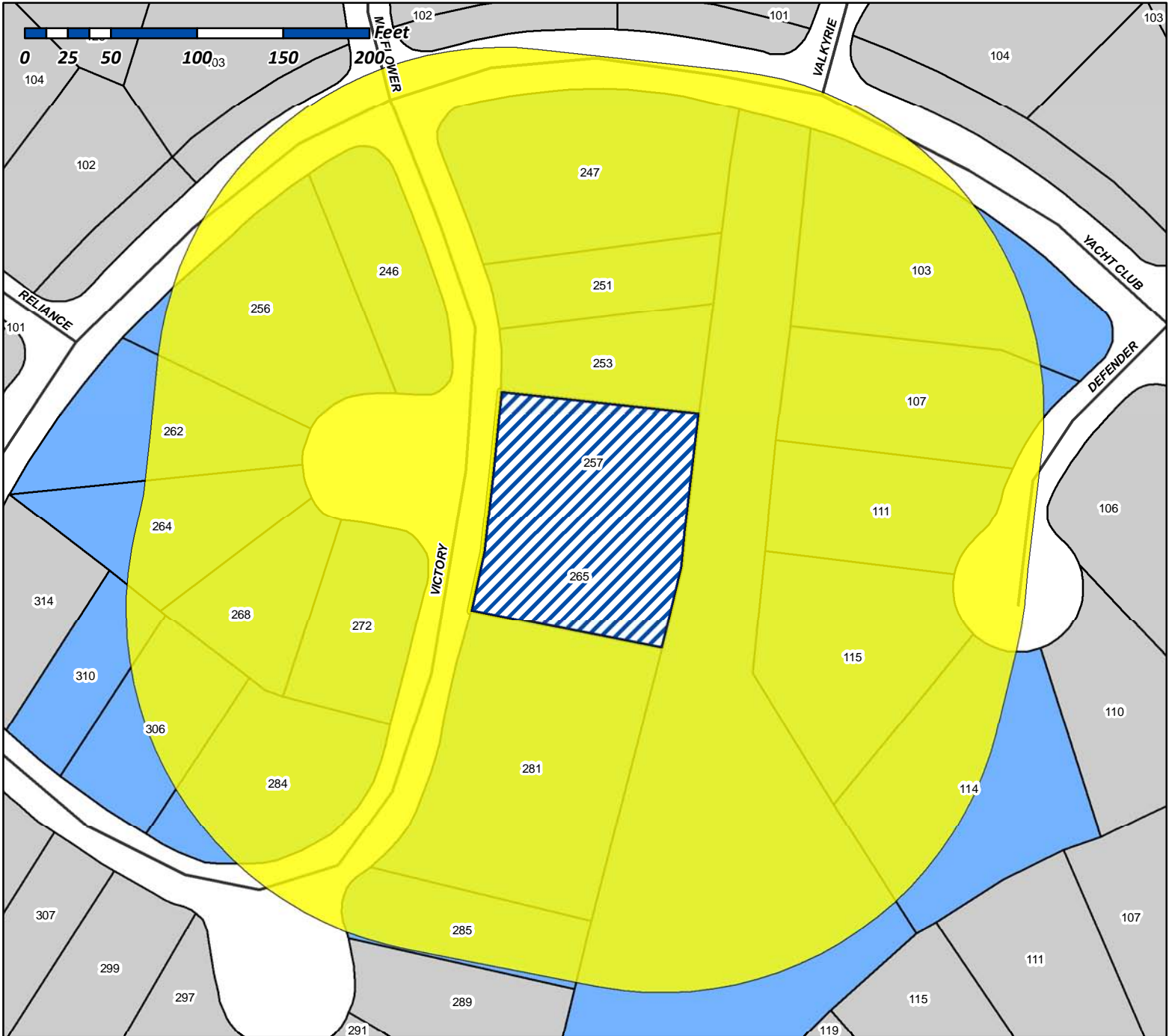
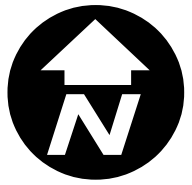




City of Rockwall

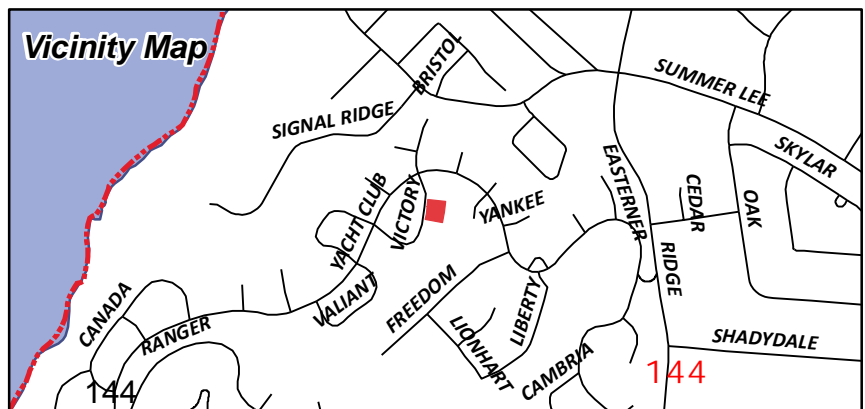
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: P2013-031
Case Name: Chandlers Landing Ph 16
Case Type: Replat
Zoning: PD-8
Case Address: 257/265 Victory Lane

Date Created: 10/23/2013
For Questions on this Case Call (972) 771-7745



CROSS_REF	file_as_na	legal_desc	addr_line1	addr_line2	addr_line3	addr_city	addr_state	zip
3357-000F-0006-00-OR	BATES LINDA J & MICHAEL L	CHANDLERS LANDING #16 & REPLAT, BLOCK F, LOT 6		268 VICTORY LANE		ROCKWALL	TX	75032
3357-000E-0004-00-OR	LASANCE RICHARD & SHIRLEY	CHANDLERS LANDING #16 & REPLAT, BLOCK E, LOT 4		253 VICTORY LN		ROCKWALL	TX	75032
3357-000F-0008-00-OR	HALL JASON M & CORI M	CHANDLERS LANDING #16 & REPLAT, BLOCK F, LOT 8R, (REPLAT-2001)		284 VICTORY LN		ROCKWALL	TX	75032
3357-000F-0007-00-OR	FRANCISCO CAROLYN ELLISON	CHANDLERS LANDING #16 & REPLAT, BLOCK F, LOT 7		272 VICTORY LN		ROCKWALL	TX	75032
3357-000F-0010-00-OR	MCMINN KIMBERLY	CHANDLERS LANDING #16 & REPLAT, BLOCK F, LOT 10R, (REPLAT-2001)		PMB 239	11654 PLAZA AMERICA DR	RESTON	VA	20190
3357-000F-0011-00-OR	SMITH WILLIAM J	CHANDLERS LANDING #16 & REPLAT, BLOCK F, LOT 11		PO BOX 191662		DALLAS	TX	75219
3357-000F-0001-00-OR	PARRISH WENDY R	CHANDLERS LANDING #16 & REPLAT, BLOCK F, LOT 1		246 VICTORY LN		ROCKWALL	TX	75032
3356-000A-0050-00-OR	WEBSTER WILLIAM G & LIDIA	CHANDLERS LANDING #15 (REPLAT-2), BLOCK A, LOT 50		115 DEFENDER CT		ROCKWALL	TX	75032
3357-000F-0004-00-OR	HANSEN J D & PATRICIA	CHANDLERS LANDING #16 & REPLAT, BLOCK F, LOT 4		262 VICTORY LN		ROCKWALL	TX	75032
3357-000F-0005-00-OR	PERLITZ STEPHEN T &	CHANDLERS LANDING #16 & REPLAT, BLOCK F, LOT 5		5818 CONSTELLATION CIR		ROCKWALL	TX	75032
3356-000A-0051-00-OR	STEBBINS GREGORY & KRISTEN	CHANDLERS LANDING #15 (REPLAT-2), BLOCK A, LOT 51	CYNTHIA A BUTSCHECK	111 DEFENDER CT		ROCKWALL	TX	75032
3356-000A-0052-00-OR	ROARK BOBBIE ETAL	CHANDLERS LANDING #15 (REPLAT-2), BLOCK A, LOT 52		107 DEFENDER CT		ROCKWALL	TX	75032
3356-000A-0053-00-OR	CEPAK JANET BAIN	CHANDLERS LANDING #15 (REPLAT-2), BLOCK A, LOT 53		103 DEFENDER COURT		ROCKWALL	TX	75032
3357-000E-0012-00-OR	BROWN TERRI LYNN	CHANDLERS LANDING #16 & REPLAT, BLOCK E, LOT 12		285 VICTORY LN		ROCKWALL	TX	75032
3357-000F-0013-00-OR	TONA CHAD J & MARTI	CHANDLERS LANDING #16 & REPLAT, BLOCK F, LOT 13, (REPLAT 2007)		256 VICTORY LANE		ROCKWALL	TX	75032
3356-000A-0049-00-OR	WEAVER C R & KAREN REV LIVING TR	CHANDLERS LANDING #15 (REPLAT-2), BLOCK A, LOT 49		114 DEFENDER CT		ROCKWALL	TX	75032
3357-000E-0003-00-OR	HARRIS ERIC & DEBBIE	CHANDLERS LANDING #16 & REPLAT, BLOCK E, LOT 3		251 VICTORY LN		ROCKWALL	TX	75032
3357-000E-0001-00-OR	JACKSON DAVID & CHRISTINA	CHANDLERS LANDING #16 & REPLAT, BLOCK E, LOT 1-R, (REPLAT-00) (GOODSON RESUBDIVISION)		247 VICTORY LN		ROCKWALL	TX	75032
3357-000E-0010-00-OR	WILLIAMS ROBERT C	CHANDLERS LANDING #16 & REPLAT, BLOCK E, LOT 10R2, (REPLAT), (REPLAT 2004)		281 VICTORY LN		ROCKWALL	TX	75032
3357-000E-0007-00-OR	HOWELL BAIRD B & MARA	CHANDLERS LANDING #16 & REPLAT, BLOCK E, LOT 7R, (REPLAT-2001)		6581 SHEA PL		HIGHLANDS RANCH	CO	80130
3357-000E-0005-00-OR	HOWELL BAIRD B & MARA	CHANDLERS LANDING #16 & REPLAT, BLOCK E, LOT 5R, (REPLAT-2001)		6581 SHEA PL		HIGHLANDS RANCH	CO	80130
3356-0000-0000-00-OR	CHANDLERS LANDING COMMUNITY ASSOC	CHANDLERS LANDING #15 (REPLAT-2), ACRES 17.6, (GREENBELT AREA)		PO BOX 638		ROCKWALL	TX	75087

Case No. P2013-031: Chandlers Landing Phase 16, Lt 23, Blk E

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.



Name: Jason & Cori Hall
Address: 284 Victory Ln Rockwall TX 75087

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

PLEASE RETURN TO THE FOLLOWING FORM:
Case No. P2013-031: Chandlers Landing Phase 16, Lt 23, Blk E

Please place a check mark on the appropriate line below:


I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

The Association has no objections

Name: *Chandlers Landing Community Association*
Address: *P.O. Box 638 Rockwall Texas 75087*

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



Chandlers Landing Community Association
Robert Rohde, CMCA, AMS
Community Services Coordinator
P.O. Box 638 Rockwall, TX 75087
Office: 972-771-1593 Fax: 972-771-1634
rrohde@chandlerstlanding.org • www.chandlerstlanding.org

Notice of Public Hearing • City of Rockwall • 385 South Galind Street • Rockwall, TX 75087 • [P] (972) 771-7743 • [F] (972) 771-7748

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Mary Smith, Assistant City Manager

DATE: November 13, 2013

SUBJECT: Water and Wastewater Rate Increase

The City’s comprehensive water and wastewater rate update was completed in 2012. North Texas Municipal Water District (NTMWD) provided member city rate estimates for treated water through 2022 allowing the consultant to make longer-term projections for the City’s rate structures.

NTMWD provides treated water and operates wastewater treatment facilities for the City’s benefit. The City issues long-term debt to finance capital improvement projects needed to accommodate growth. The combined impact of payments to NTMWD and to bondholders is that 79% of our budget goes to those two categories. The remaining 21% pays for maintenance of water and sewer mains, meter reading, billing, collection, maintenance of water towers, more than 40 lift stations and an array of equipment.

The NTMWD rate effective October 1st reflected an increase of 9.36 percent from the prior year’s rate. In addition to the increase, mandatory conservation measures and our resident’s response have had a dramatic effect on revenues and the resulting water and wastewater reserves. The City cannot absorb the NTMWD rate increase without increasing rates and still meet our bond covenants and financial policies with significantly reduced reserves. The development of alternatives to the Zebra Mussel problem, new raw water supplies, and treatment capabilities will require significant rate increases in the NTMWD member rate to be considered over the next decade. Bond covenants require we maintain revenue debt coverage factors and our financial policy calls for a minimum of 60 days of working capital, which is the utility’s equivalent of fund balance. Rate increases as proposed in the study will allow the city to meet the bond covenants and preserve a reasonable reserve level.

NTMWD Rate Increases (Actual and District Projected)

	Rate per 1,000	% increase		Rate per 1,000	% increase
2012	1.49	5.4%	2018	2.67	5.95%
2013	1.71	14.76%	2019	2.80	4.87%
2014	1.87	9.36%	2020	2.90	3.57%
2015	2.16	15.50%	2021	2.97	2.41%
2016	2.35	8.79%	2022	3.02	1.68%
2017	2.52	7.20%	2023	3.07	1.66%

RCH Water Supply Corporation and Blackland Water Supply Corporation purchase wholesale water under long-term contracts with us. Both contracts call for rates to be determined by a cost of service study rather than be tied to our residential increases. This study, while conducted in 2011, is still valid based on the use of projected rates from NTMWD, which were ultimately adopted by the board as modeled.

In addition, we are proposing a \$25 increase in the meter deposit rate for new customers. The current deposit for a residential account is \$50 and has not increased since 2006. At this level, the deposit does not cover a single month's bill for most customers. As has been our policy for many years, if you pay on time for three years, the deposit will be refunded to the account. If you move from one Rockwall address to another, your deposit will be transferred to the new address. The commercial and irrigation meter deposits would increase from \$75 to \$100 per meter.

The accompanying rate resolution was prepared with the proposed rates. These rates, if approved by Council, would be effective for consumption after January 1, 2014. The new rates would begin to appear on bills in February. Based on average consumption, residents would see their bills increase by approximately \$7 when not irrigating and \$12 when irrigating.

**CITY OF ROCKWALL, TEXAS
RESOLUTION NO. 13-30**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ROCKWALL, TEXAS FIXING THE RATE TO BE CHARGED FOR
WATER AND WASTEWATER SERVICES FURNISHED BY THE
CITY; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Chapter 44, Article III, Section 44-74, of the City of Rockwall Code of Ordinances provides that rates and charges for water and wastewater services and the procedures relative to the collection thereof shall from time to time be set by resolution of the City Council, and

WHEREAS, the City Council finds that due to increasing costs it is necessary to increase the rates charged for water and wastewater services,

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Rockwall, Texas:

SECTION 1. The following monthly rates are hereby established and shall be collected for water and wastewater services billed by the City:

	<u>Meter size</u>	<u>Water Rates</u>	<u>Wastewater Rates</u>
Monthly Minimum Bills:			
Residential:	0.75	\$ 12.16	\$ 13.35
	1.00	12.16	13.35
	1.50	12.16	13.35
	2.00	12.16	13.35
Non-residential:	0.75	\$ 13.35	\$ 13.35
	1.00	15.62	15.62
	1.50	18.15	18.15
	2.00	22.89	22.89
	3.00	32.45	32.45
	4.00	41.95	41.95
	6.00	51.45	51.45
Irrigation Meters:	0.75	\$ 13.35	\$ N/A
	1.00	15.62	N/A
	1.50	18.15	N/A
	2.00	22.89	N/A
	3.00	32.45	N/A
	4.00	41.95	N/A
	6.00	51.45	N/A
Rate per TH Gallons - Water: Residential 2,001-12,000 gallons		\$ 3.07	\$ N/A
Residential over 12,000 gallons		5.37	N/A
Irrigation over 2,000 gallons		5.37	N/A
Non-residential over 2,000 gallons		4.61	N/A
Wholesale Contract Rate		3.38	N/A
Rate per TH Gallons - Wastewater:		N/A	2.32

SECTION 2. Calculation of monthly volume charge for wastewater. The monthly volume charge for residential customers for wastewater service shall be calculated each year based on the average monthly water usage during the previous winter months, consisting of December, January, and February. Where no previous winter average is available, the Director of Finance shall estimate a volume to be used for this monthly charge. The monthly volume charge will be recalculated in March of each year.

SECTION 3. An initial deposit shall be required of all customers requesting utility service. Letters of good credit will not be accepted in lieu of a deposit.

Residential Meter Deposit	seventy five dollars (\$75.00) per meter
Commercial Meter Deposit	one hundred dollars (\$100.00) per meter
Irrigation Meter Deposit	one hundred dollars (\$100.00) per meter

SECTION 4. The residential meter deposit shall be refunded to the customer's account after a 36 month period of prompt payments. The customer's account history shall not reflect any late payments, disconnection of service or non-sufficient funds items received by the City, during this period. The 36 month period shall be calculated on a rolling calendar basis.

SECTION 5. Service is subject to disconnection if any amount of a bill is delinquent after the due date of the following month's bill. In addition to payment of the total amount of the bill for which service has been disconnected, a reconnection fee of twenty-five dollars (\$25.00) shall be charged to reestablish service. If a customer is disconnected for non-payment or payment by non-sufficient funds, a deposit shall be assessed prior to reconnection of services, if a deposit is not currently on file. If reconnection is requested after normal business hours, an additional after hours service charge of forty dollars (\$40.00) shall also be charged. If a technician has been dispatched, all of the above charges shall be due regardless of whether or not service has actually been terminated.

SECTION 6. Builders requiring water service during construction shall be required to place a service deposit of twenty five dollars (\$25.00) per residential construction site, and thirty five dollars (\$35.00) per commercial construction site.

SECTION 7. In the event of receipt of any payment, which is later deemed to be uncollectible by the City's depository, the customer shall be charged an administrative fee of twenty-five dollars (\$25.00) per occurrence.

SECTION 8. These rates and charges shall become effective for consumption after January 1, 2014.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 18th day of November, 2013.

APPROVED:

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: City Council

FROM: Ryan Miller, *Senior Planner*

DATE: November 18, 2013

SUBJECT: Request to Postpone Case No. Z2013-031

On November 5, 2013 the applicant, Shawn Valk, submitted a letter (attached as *Exhibit 'A'*) to staff requesting to postpone the public hearing for Case No. Z2013-031 from November 12, 2013 to December 10, 2013. According to the letter the applicant is requesting the postponement in order to meet with the homeowners to address any issues they may have with the proposed development. On November 12, 2013 the Planning & Zoning Commission voted unanimously to allow the postponement request. The new meeting dates for this case are as follows:

Planning & Zoning Public Hearing: December 10, 2013
City Council [1st Reading]: December 16, 2013
City Council [2nd Reading]: January 6, 2014

Exhibit 'A': Request to Postpone the Public Hearing

November 5, 2013

RE: Z2013-031

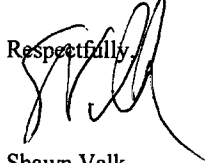
Dear Mr. Miller,

Please accept this request to postpone or continue the above listed zoning case for a planning and zoning date of December 10, 2013 and following the normal schedule for city council on December 16 and January 10.

The request is being made in order to meet with homeowners in the adjacent residential subdivision on Turtle Cove to discuss/address concerns and or issues they may have.

I appreciate your help and understanding with this request.

Respectfully,



Shawn Valk

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/18/2013

APPLICANT: Gene Maranda

AGENDA ITEM: **MIS2013-008**; Carport & Material Exception (406 Wayne Drive)

SUMMARY:

Discuss and consider a request for the approval of a special request for the purpose of permitting the construction of a carport that does not conform to the setback and material requirements as stipulated by Section 2.1.2(1) [*Carports*] of Article IV, *Permissible Uses*, of the Unified Development Code, for a 0.17-acre property that is identified as Lot 1166 of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is generally located at 406 Wayne Drive, and take any action necessary.

CHARACTERISTICS OF REQUEST:

The applicant, Gene Maranda, is requesting a special exception to the requirements stipulated by Section 2.1.2(1) [*Carports*] of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) for the purpose of constructing a carport, adjacent to the front façade of an existing manufactured home. According to the information provided by the applicant the carport will be situated adjacent to the front façade of the existing garage and be 60-feet from the front (eastern) property line. The structure will consist of four (4) metal post anchored in concrete supporting a standing seam metal roof. The carport will have a total building footprint of 24-feet by 24-feet, or 576 square feet. The proposed position of the carport does not encroach or intrude into any established building setbacks or easements located on the subject property, and should not create a sight obstruction to motorist.

Planned Development District 75 (PD-75) states that properties within *Area 2'*, such as the subject property, are subject to the land use standards and density and dimensional requirements stipulated for properties located within the Single Family 7 (SF-7) zoning district. According to Article IV of the UDC, carports are allowed by right in a Single Family-7 (SF-7) District pending they meet the requirements stipulated in the Section 2.1.2 of Article IV. Section 2.1.2(1) [*Carports*] of Article IV states that carports are required to be setback a minimum of 20 feet from the front building façade. As mentioned above the proposed carport will be directly adjacent and even to the front façade of the existing manufactured home. The applicant has stated that the purpose for the proposed position of the carport is to accommodate the existing garage which restricts the ability of the carport to conform to the required 20-foot setback requirement. Section 2.1.2(2) [*Carports*] of Article IV states that carports that are visible from a public right-of-way should be constructed of materials that match the primary residence. In this case the applicant is proposing to use a metal construction, which is similar in nature to the materials used on the primary structure.

Generally, this request would require a Specific Use Permit (SUP) in conformance with Section 2.1.2(3) [*Carpports*] of Article IV for not meeting the requirements stipulated in Section 2.1.2(1) of Article IV; however, the subject property is located within Planned Development District 75 (PD-75), which allows City Council to consider special requests on a case-by-case basis pending a recommendation by the Planning & Zoning Commission. The approval of any special request shall preempt any other underlying zoning restrictions stipulated by the zoning ordinance. Staff would like to acknowledge that the applicant's design appears to be consistent with existing designs in the neighborhood, and the approval of the request would not alter the essential character of the planned development district.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request for a waiver to the carport requirements staff recommends the following conditions:

- 1) Prior to the construction of the carport the applicant will need to apply for a Building Permit from the Building Inspections Division,
- 2) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 12, 2013, the Planning and Zoning Commission recommended to approve the applicant's request per staff's recommendation by a vote of 7 to 0.

0 87.5 175 350 525 700 Feet

MIS2013-008 - 406 WAYNE DRIVE
EXCEPTION - LOCATION MAP = 

AG

EVANS

PD-75

LYNNE

CHRIS

YVONNE

WAYNE

RUSSEL

NICOLE

RENEE



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Miller, Ryan

From: Maranda, Gene <marandamg@Pella.com>
Sent: Friday, November 01, 2013 8:28 AM
To: Miller, Ryan
Subject: 406 Wayne Drive Carport Request
Attachments: 406 Wayne Drive Survey Receipt.pdf; Ariel View 406 Wayne Drive Carport.pdf; carport_24x24 drawing.pdf; Frontview 406 Wayne Drive.pdf; What Carport will look like.jpg

Hello Ryan and John,

I have talked to Jeffery and have compiled all information that he said we might need to construct a carport at 406 Wayne Drive in Rockwall Texas. The survey was done back in 1981 and all I have is just a receipt. Jeffery said you may be able to pull a platt? Jeffery also said we may need to do a special exception and that a meeting will be on the 19th of November. Can I come down and pay for a permit after that and how much? Below are some of the specs that I know about the carport. Please let me know as soon as possible if you need any more information and how I need to proceed with this, as I have never done this before! Hoping to have this up before winter really hits us! Thanks!

Carport will be 24 feet by 24 feet (Drawing is 20X20 but materials will come from Mueller)
All post will be anchored in ground with 80 to 100 pounds of concrete
Carport will be attached to garage front
Carport about 20 feet from left side of property
Carport about 16 feet from right side of property
Carport about 60 feet from front of property

Gene Maranda-IT-Wylie Operations
Pella Corporation
Phone: 469-304-3010
Email: marandamg@Pella.com



MCSE, MCSA, MCP, A+, Network+, Security+, DCSE,
First Class Radiotelephone Engineer

Google

To see all the details that are visible on the screen, use the 'Print' link next to the map

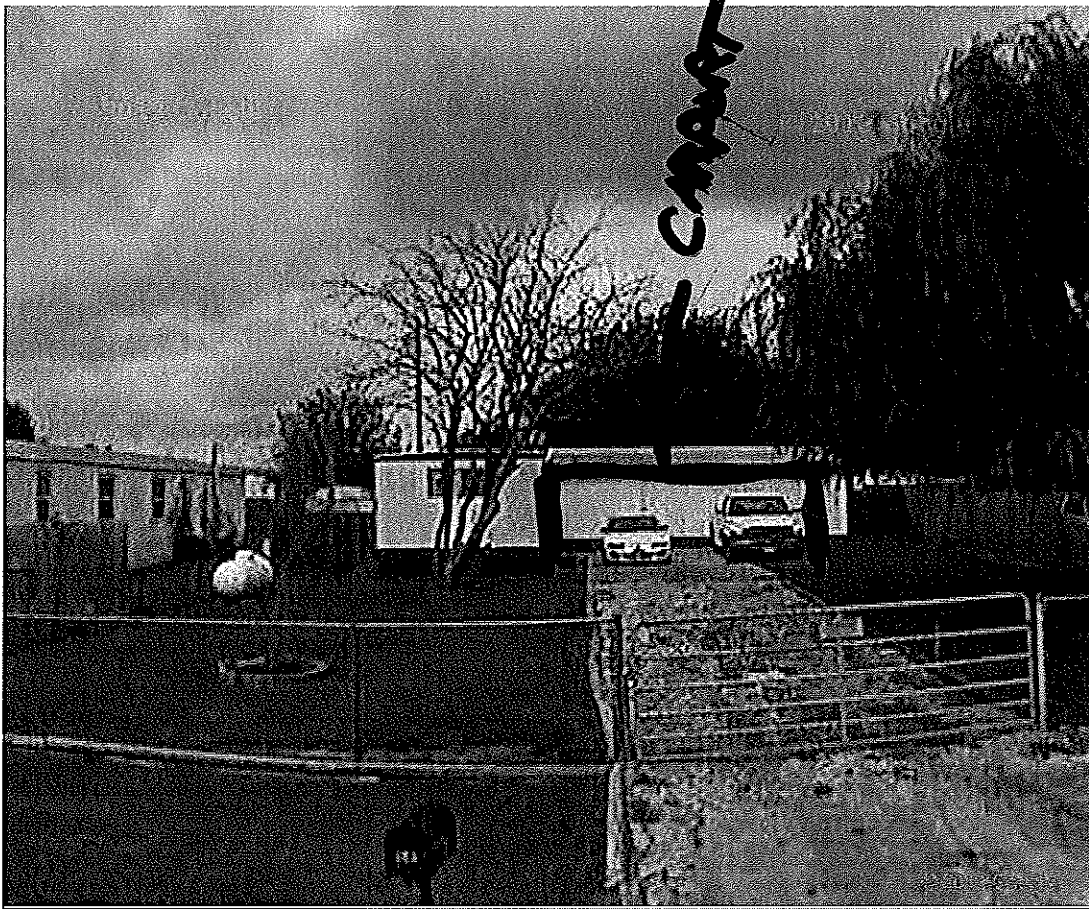


ARIEL VIEW 406 WAYNE DRIVE

Google

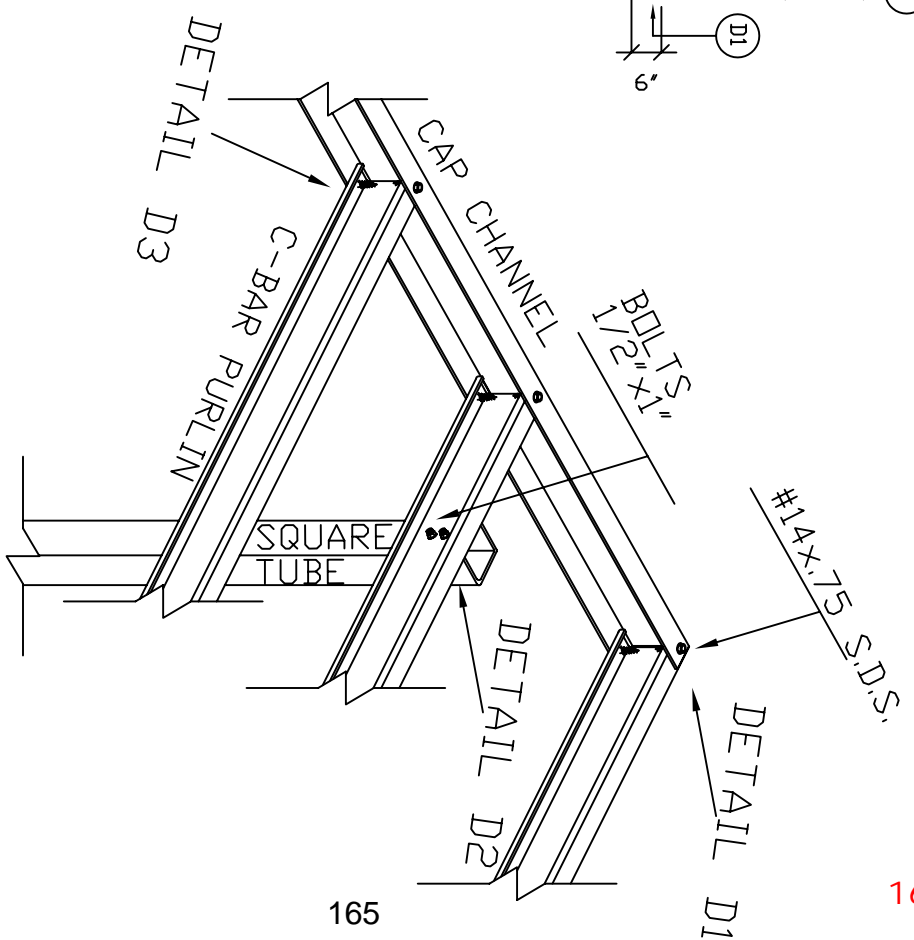
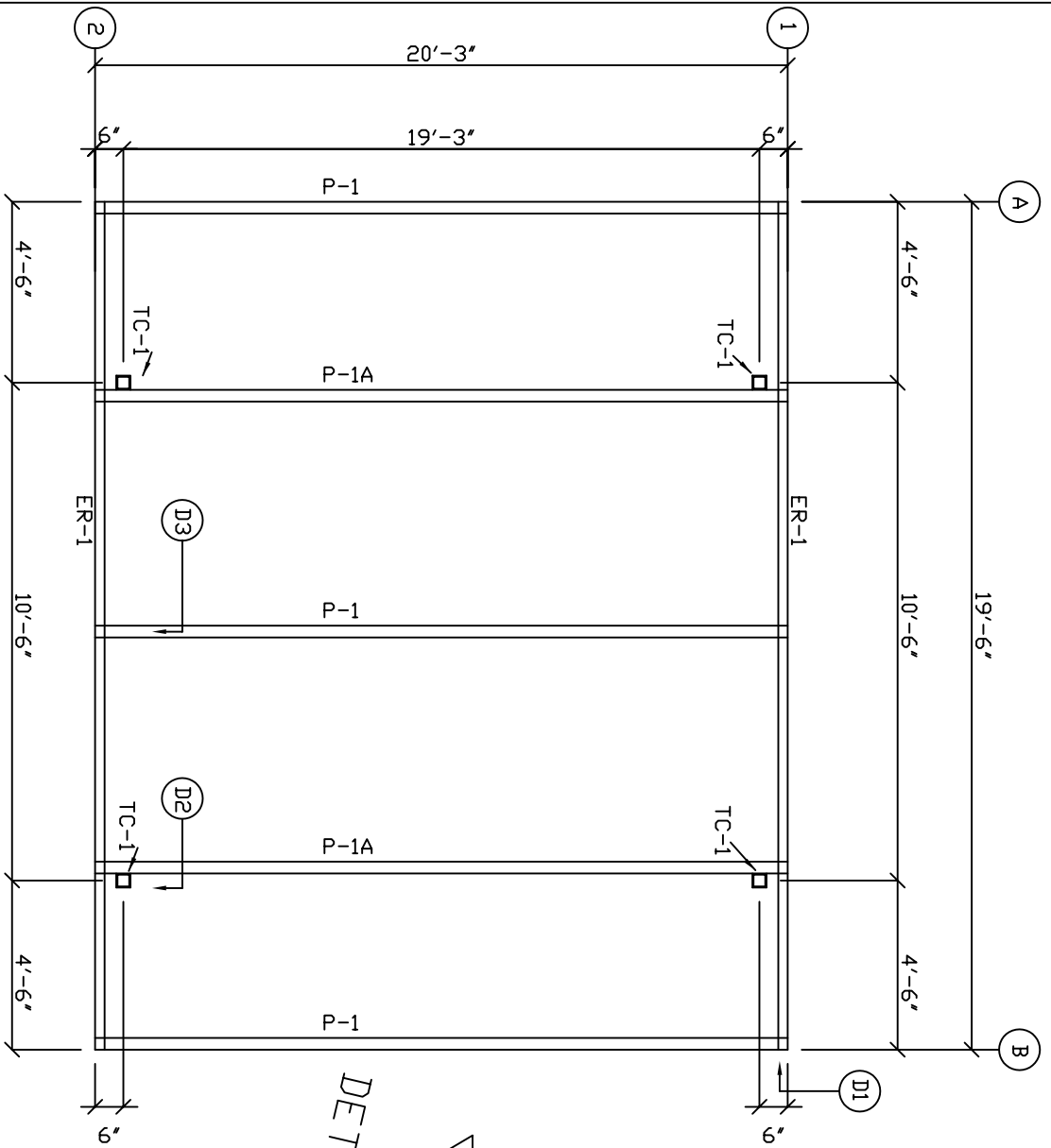
Address  Wayne Drive

Address is approximate



406 WAYNE DRIVE FRONT VIEW - CARPORT
ATTACHED TO GARAGE





NOTE: SHEETS ARE TO HANG OFF THE LOW SIDE

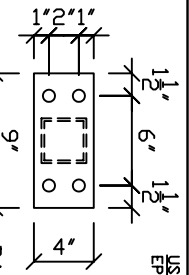
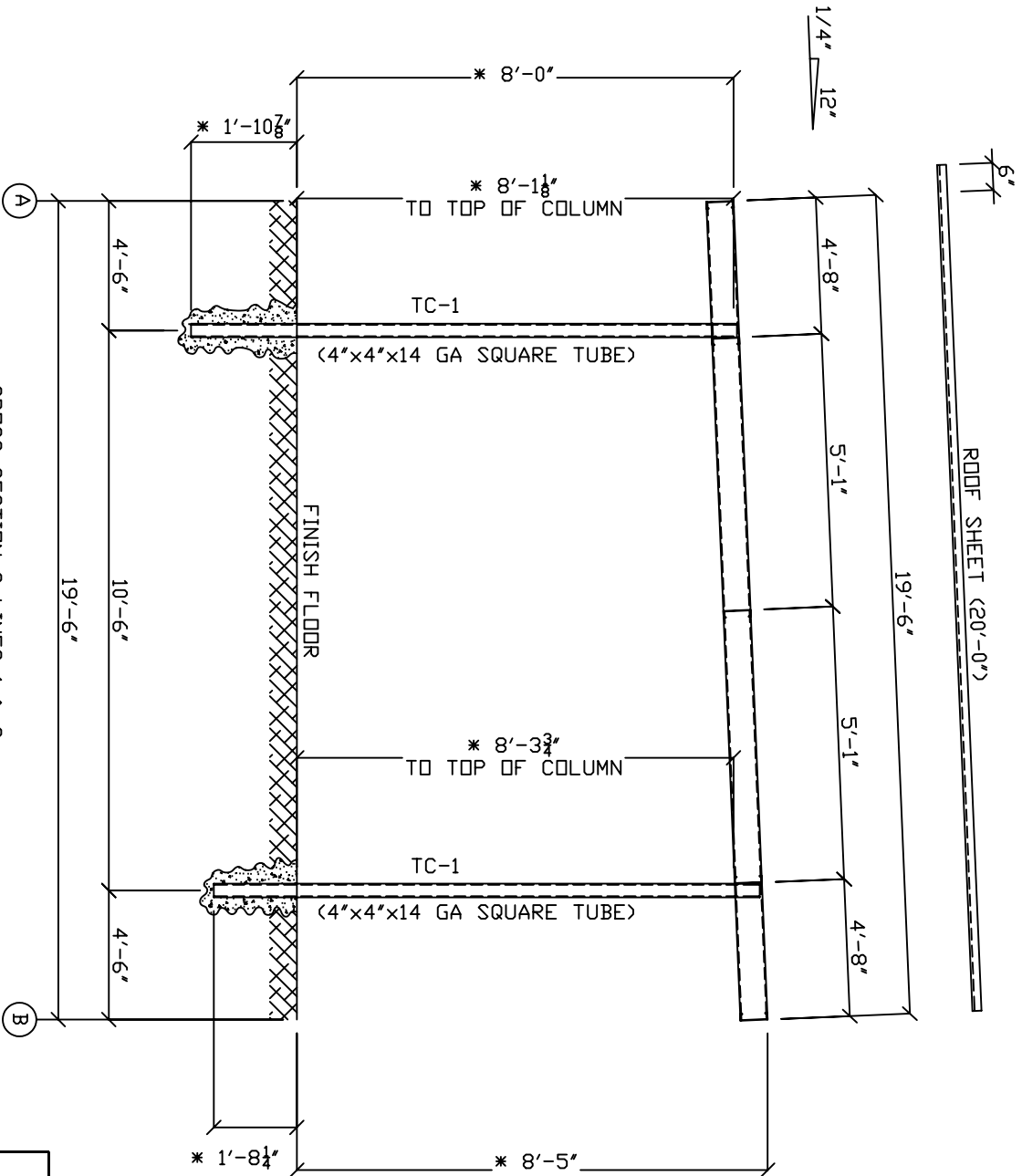
LIST OF MATERIALS			
MARK	QTY	DESCRIPTION	MUELLER ITEM #
P-1	3	8" x2 1/2" C-BAR 14GA	49829
P-1A	2	8" x2 1/2" C-BAR 14GA "PU"	49829
ER-1	2	8" x2" CAP CHANNEL 14GA	49797
TC-1	4	4" x4" x1/4 GA SQUARE TUBE	49830
	20	#14 TEK S.D.S. RED	49819
	8 EA	BOLT, NUT, WASHER	39612

NOT ALL SCREWS ARE REQUIRED FOR ASSEMBLY EXTRA SCREWS HAVE BEEN PROVIDED

MUELLER, INC.
STEEL BUILDING SYSTEMS & COMPONENTS
3575 Hwy. 59
800-879-3909
Rosenberg, TX 77471
281-342-0760

DESCRIPTION: CARPORT ROOF FRAMING
SIZE: (STANDARD KIT) 20'-3" x 20'-0"
CUSTOMER: NONE
DATE: 2/1/05
SCALE: NONE
JOB NO.:
SHEET NO.: 2 OF 2

NON-ENGINEERED CAR PORT



ITEM# 49801
 BASE PLATE
 1/4" x 4" x 9"
 13/16" Ø HOLES

OPTIONAL BASE PLATE FOR EXISTING SLAB
 NOTE: COLUMNS WILL HAVE TO BE CUT OR THE HEIGHT OF THE CARPORT WILL CHANGE

16

CROSS SECTION @ LINES 1 & 2

* DIMENSION VARIES DEPENDING ON EAVE HEIGHT AND COLUMN RECESSION

NON-ENGINEERED CAR PORT

MUELLER, INC.
 STEEL BUILDING SYSTEMS & COMPONENTS
 3575 Hwy. 59
 800-879-3909
 Rosenberg, TX 77471
 281-342-0760

DESCRIPTION: CARPORT CROSS SECTION
 SIZE: (STANDARD KIT) 20'-3" x 20'-0"
 #11#

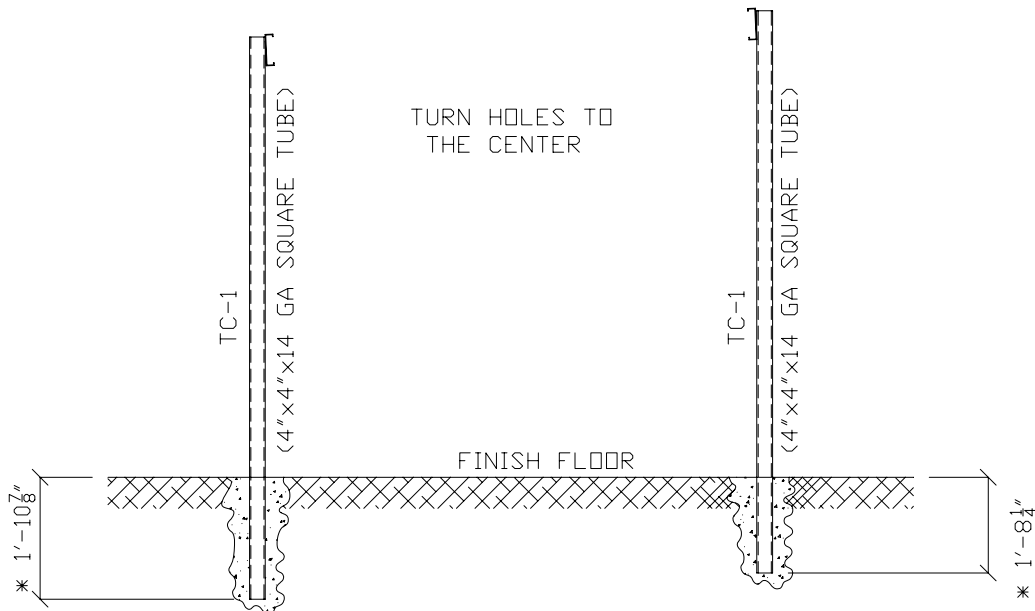
DATE: 2/1/05
 SCALE: NONE
 SHEET NO.: E2 OF 2

Carport Installation

ALL INSTRUCTIONS MUST BE READ PRIOR TO INSTALLATION

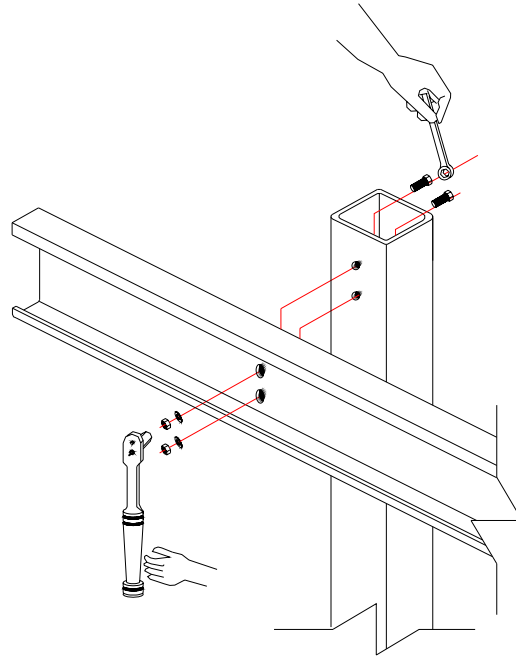
Set Columns

Spacing and elevation of the columns are critical to the proper installation of the Mueller carport. The columns must be square, plumb and set at the exact dimensions shown on the drawings. Depending on the direction of the watershed, the high side columns must be 2 5/8" taller than the low side columns to achieve the appropriate pitch. Particular attention should be paid to direction of the pre-punched holes in the top of the columns as shown in the framing drawings (**Holes in column must face to the center of the carport**). Pack a small amount of dirt around each column to temporarily hold them. Do not apply concrete at this time. Time and care should be taken on column installation, as this will directly affect the appearance and ease of installation on the rest of the carport.



Framing

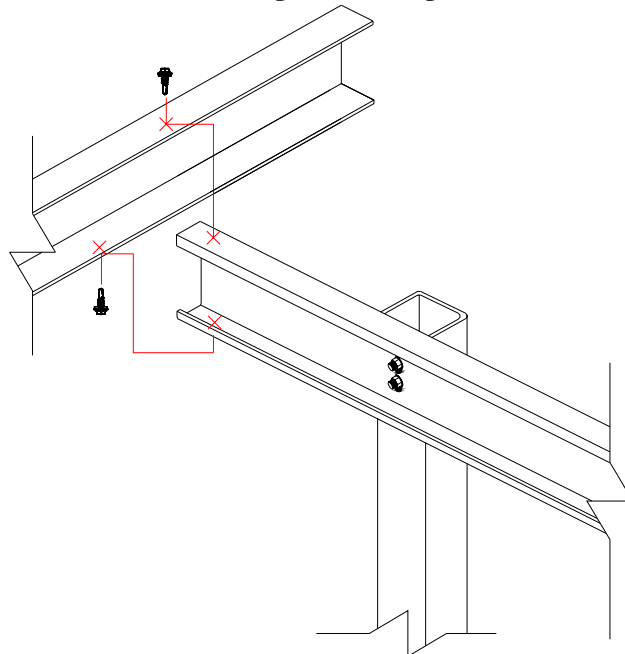
(1) Turn open face of purlin to the center of carport. Align pre-punched holes in column and purlin (P-1A) and attach with ½” bolts as shown.



(2) Repeat step 1 at all columns as shown in framing details.

(3) Install both cap channels (ER-1) as shown in the framing detail. End of cap channel should be 4'-6" from center of column. Making sure the purlins (P-1A) are inserted as deep as possible into the cap channels. Attach with screws as shown.

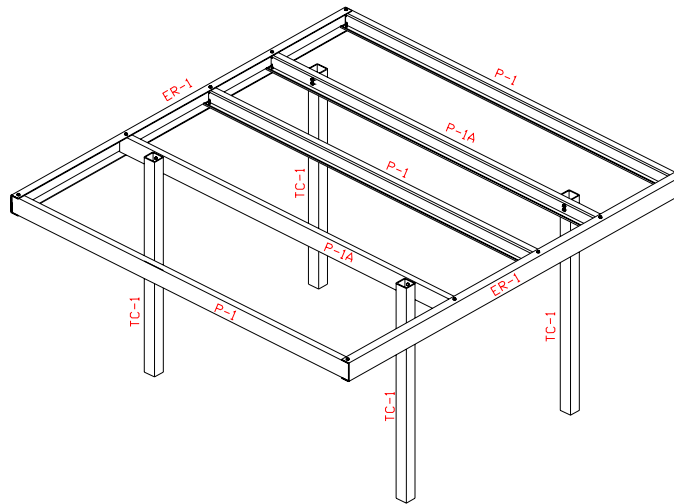
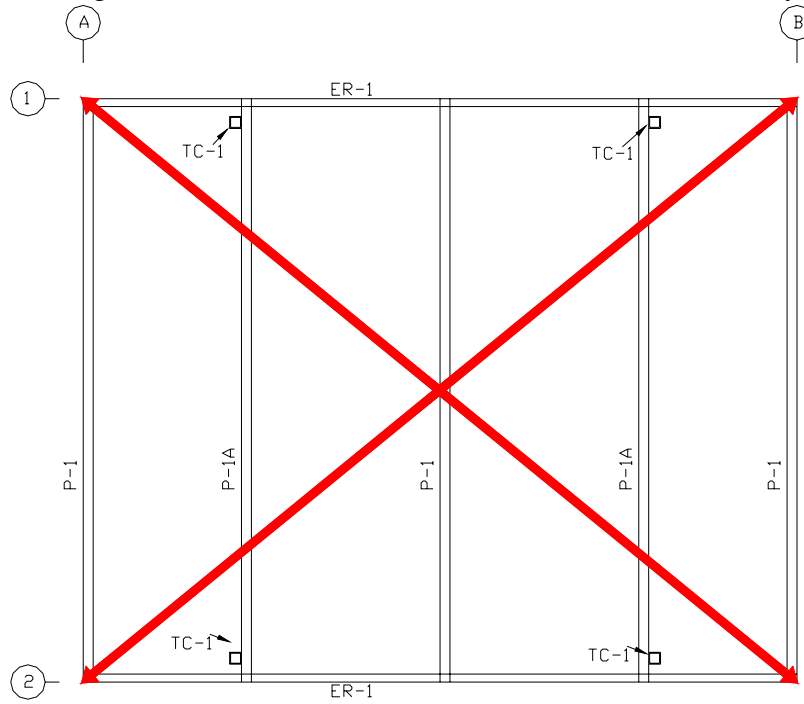
(4) Center purlin (P-1) is installed according to dimensions shown on drawing, and attached with screws as shown. Turn open face of purlin either direction.



(5) Install the high side (P-1) and low side (P-1) purlins with the open face of purlin pointed towards the center of the carport. Insert the purlins as far as possible into the cap channel (ER-1) and flush with the end of cap channel to form an outside corner and attach with screws as shown.

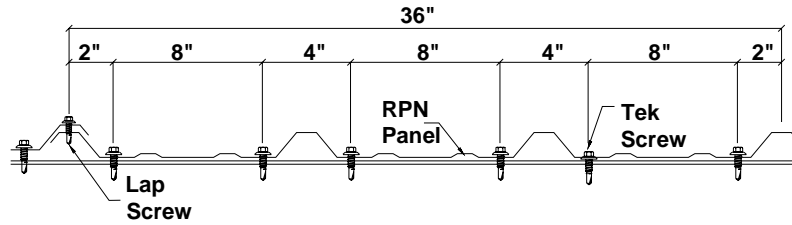
Cross Square the Frame

Measure the frame corner to corner diagonally making sure both dimensions are the same. If not, pull the frame square before starting sheeting. Commonly used tools are come-a-longs and ratchet straps. Squaring the frame is critical to make the sheets run true on the frame and will affect appearance and ease of installation. Re-check level on both P-1A purlins running column to column then add concrete and allow to dry.

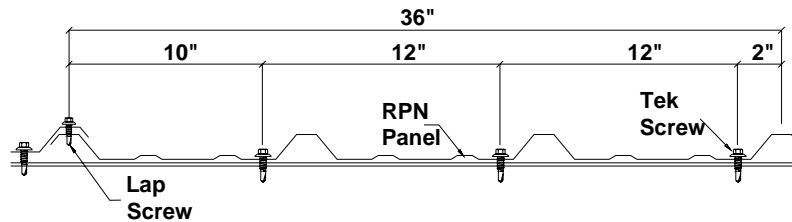


Roof Sheets

- (1) Place the first roof sheet flush with the outside of the cap channel (ER-1). Overhang the high and low side purlins equal distances, approximately 3". Optional trim package requires the roof sheets to be applied flush with the high side purlin and all overhang is to go to the low side purlin, approximately 6".
- (2) Attach sheets to purlin using screw patterns shown in drawings.



Fastener Location at Low Side & Eave Side



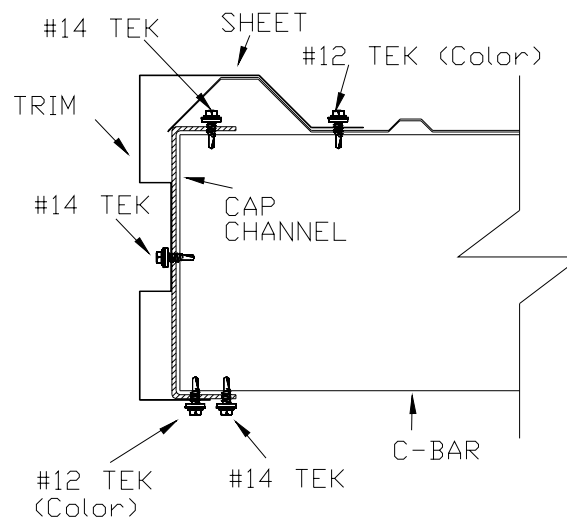
Fastener Location at Panel Interior

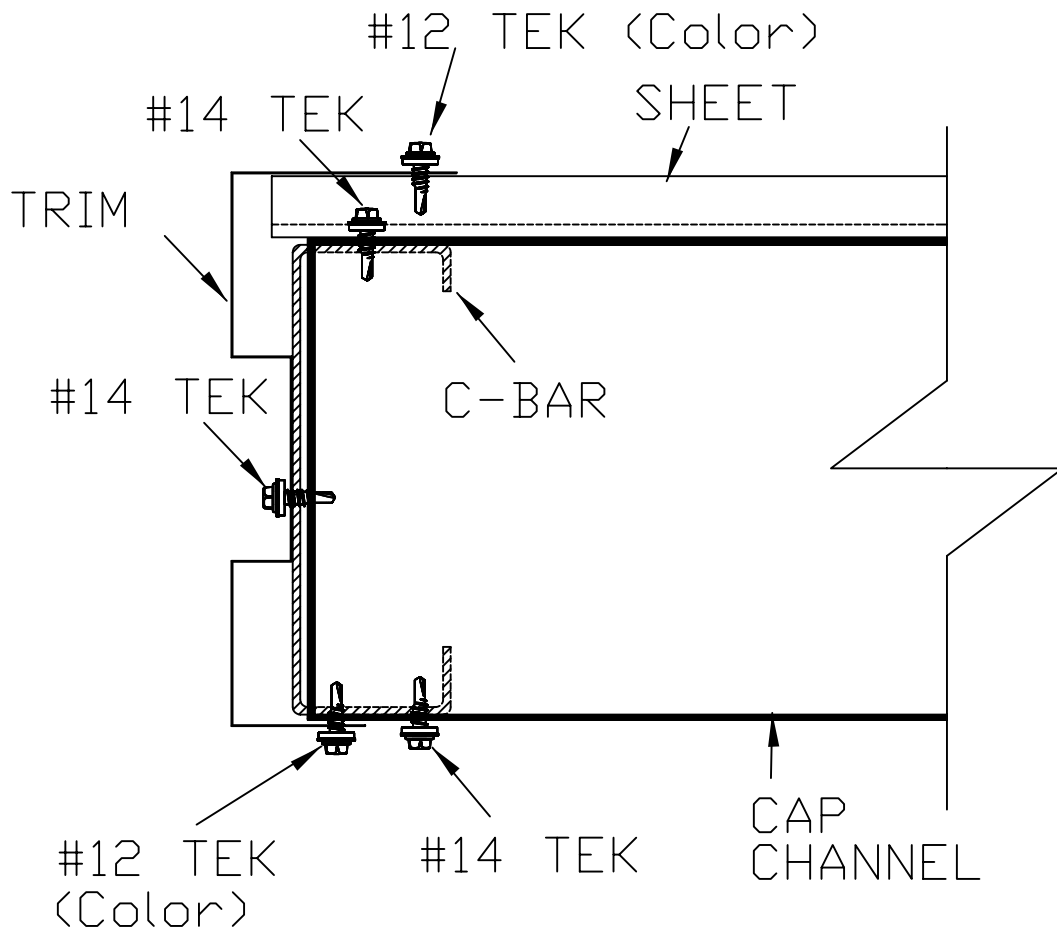
- (3) Repeat steps 1 & 2 until all sheets are applied.
- (4) Lap screws are applied on 30" centers as shown in drawings.

Optional Trim Package

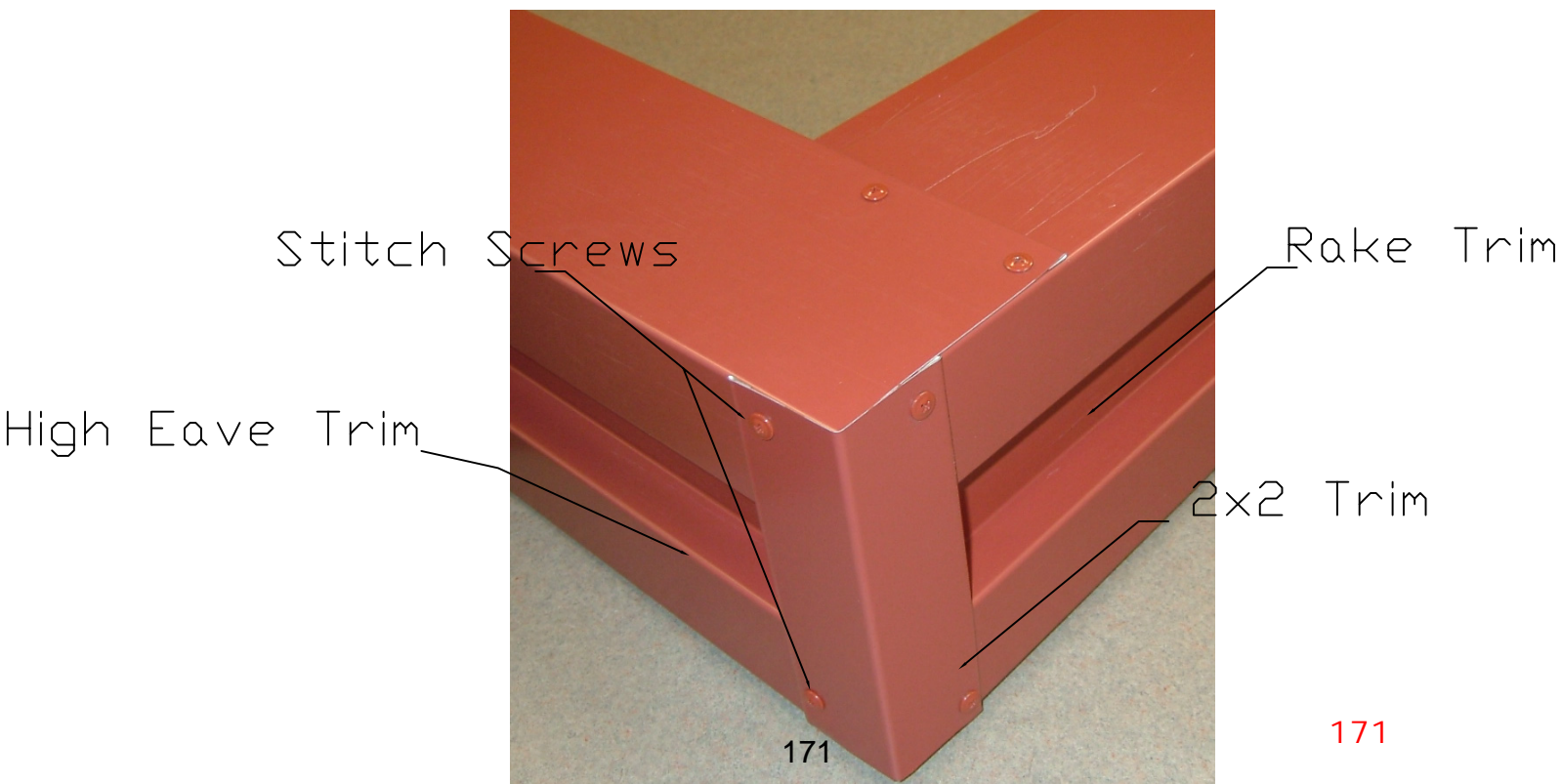
Apply as shown in trim drawings.

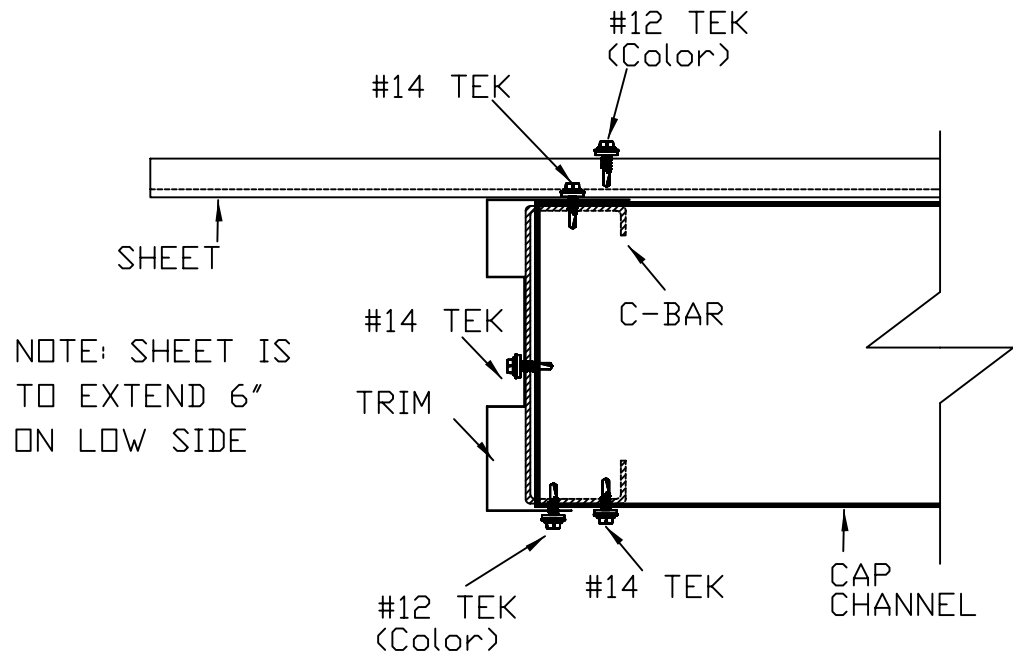
RAKE TRIM



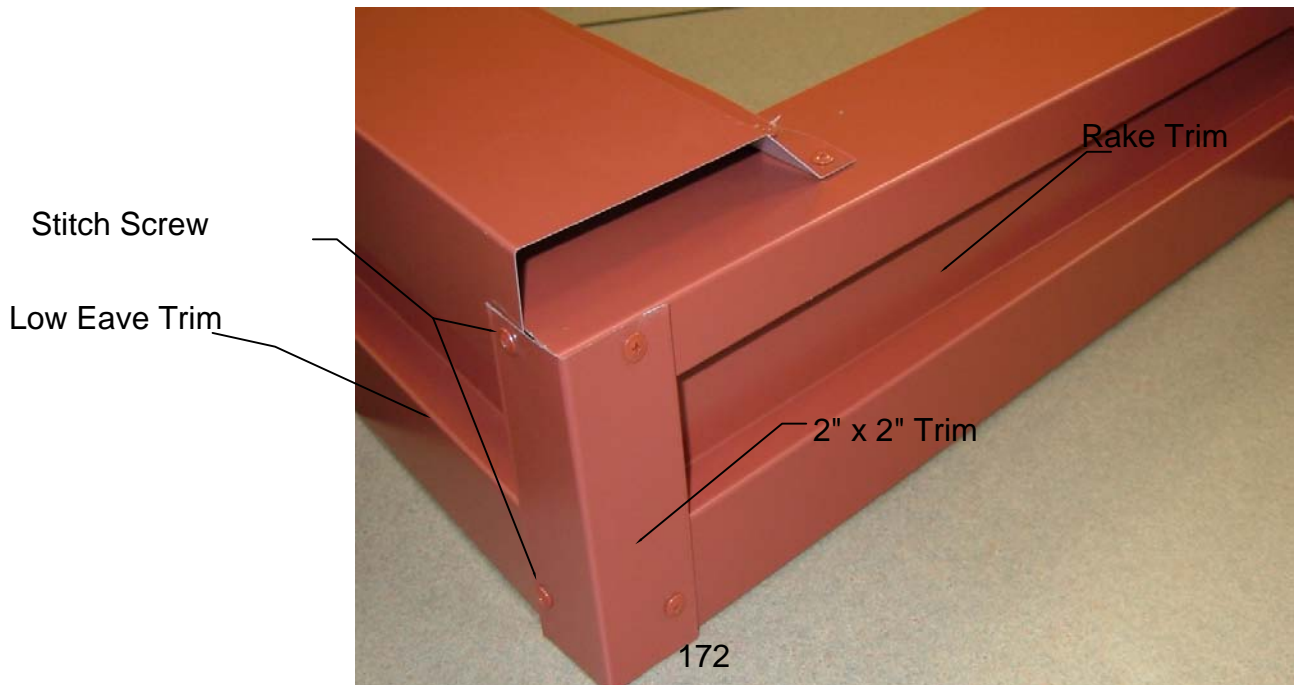


HIGH EAVE RAKE





LOW EAVE RAKE



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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/18/2013

APPLICANT: Rich Houston

AGENDA ITEM: P2013-032; Rockwall Solar Village

SUMMARY:

Discuss and consider a request by Rich Houston on behalf of R. Fifty Green Homes, LLC for the approval of a Preliminary Plat for Rockwall Solar Village, containing six (6) single family lots on a 2.055-acre tract of land situated within the Rueben Ballard Survey, Abstract No. 29, Rockwall, Rockwall County, Texas; zoned Single Family 7 (SF-7) District, located directly west of the intersection of SH-66 (Williams Street) and Caruth Lane, and take any action necessary.

PRELIMINARY PLAT INFORMATION:

- ✓ The purpose of the applicant's request is to preliminary plat six (6) single family, residential lots on a 2.055-acre tract of land for the construction of a single family subdivision. It is the applicant's intent for this subdivision to provide modern homes that are designed to be energy neutral or net-zero housing. This shall be achieved by incorporating solar panels, a rain collection system and a design that utilizes a passive cooling/heating system. Additionally, the homes will be between 2,000 – 3,000 SF in size and will be constructed facing onto a pedestrian/common space that extends from Heath Street. *A letter of applicant's full scope of work has been provided in the attached development packet.*
- ✓ According to Section 2.11, *Alleys and Alley Widths*, of the Standards of Design and Construction Manual [*Public Works Department*], "(a)lleys shall be provided in all residential areas ... [however] The City council may waive the residential alley requirement upon determination by the Council, if it is in the best interest of the City ... The City may waive this requirement where other definite and assured provisions are made for service access such as off street loading, unloading and parking consistent with and adequate for the uses proposed." In this case, the applicant has demonstrated conformance to the off-street loading requirements that are consistent with the proposed use and adjacent land uses. Additionally, the City has provided waivers to this requirement for other developments upon a finding that adequate city services can be provided to the proposed subdivision.
- ✓ The Treescape Plan provided by the applicant shows that there are 24 hackberry trees, one (1) pecan tree, one (1) redbud tree and two (2) white ash trees existing on the site. According to the applicant's mitigation plan five (5) trees, consisting of a total of 69 caliper inches of tree and requiring 63.5 caliper inches of total mitigation, will be removed and 35 trees (consisting of live oak, pecan and redbud trees) for a total of 105 caliper inches will be planted on the site. The applicant has stated that the remaining 23 existing trees will be inspected by an arborist to ensure that they are in a healthy growing condition.
- ✓ On November 5, 2013 the Parks Board reviewed the proposed preliminary plat and recommended the following:

1. The developer pay the pro-rata equipment fees required for Parks District No. 9 in the amount of \$2,064.00 [*i.e.* 6 lots @ \$344.00 per lot].
 2. The developer pay the cash-in-lieu of land fees in the amount of \$1,212.00 [*i.e.* 6 lots @ \$202.00 per lot].
- ✓ The subject property is zoned Single Family 7 (SF-7) District. The development standards for a property within a Single Family 7 (SF-7) District are as follows:

<i>Ordinance Requirements</i>	
Minimum Lot Area	7,000 SF
Maximum Number of Dwellings Per Lot	1
Minimum SF Per Dwelling Unit	1,100
Lot Frontage on a Public Street	60'
Minimum Lot Depth	100'
Minimum Front Yard Setback	20'
Minimum Rear Yard Setback	10'
Minimum Internal Side Yard Setback	6'
Minimum Distance Between Buildings	10'
Maximum Lot Coverage	45%
Maximum Building Height	32'

- ✓ On November 4, 2013, the City Council approved a masonry exception that allows the applicant to deviate from the required 80% masonry requirement for the purpose of allowing a combination of lime plaster [75%] (which is similar in nature to stucco) and natural wood slats as siding [25%]. The natural wood slats will be a combination of Ipe, a fire resistant Brazilian Walnut that is resilient to mildew and decay, and Cedar.
- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for preliminary plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

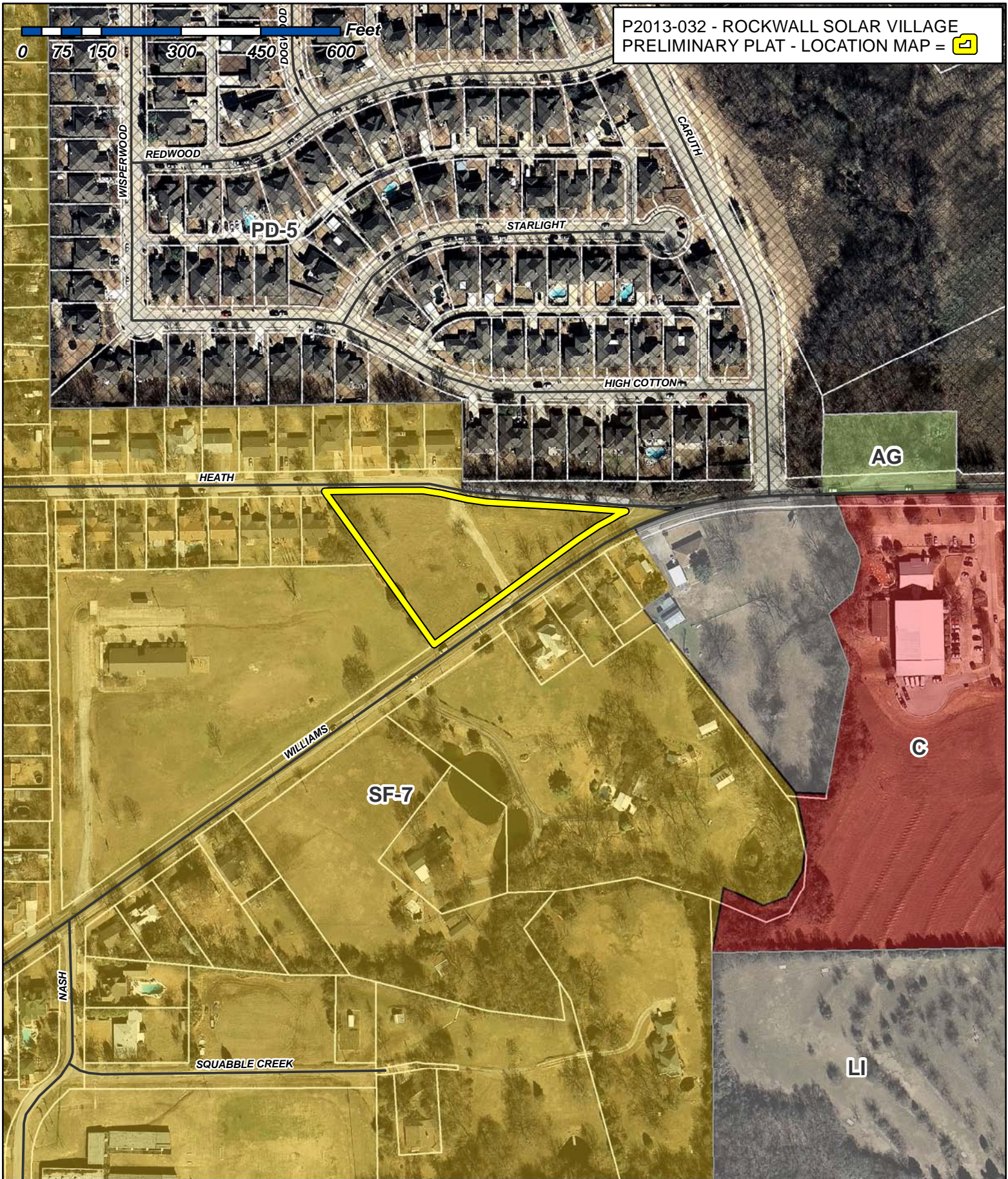
RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *Preliminary Plat* for *Rockwall Solar Village Subdivision* staff would recommend the following conditions:

- 1) The *Preliminary Plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;
- 2) The applicant shall adhere to the recommendations made by the Parks Board (*stated above*); and,
- 3) Any construction resulting from the approval of this *Preliminary Plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 12, 2013, the Planning and Zoning Commission recommended to approve the preliminary plat with staff conditions by a vote of 6 to 1, with Commissioner Jackson dissenting.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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SCOPE OF WORK:

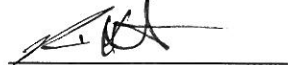
ROCKWALL SOLAR VILLAGE at OLD TOWN

Rockwall Solar Village is a small community of soft-modern homes that are designed to be electrically net-zero. The homes will be multi-level and will be sized between 2000 – 3000 square feet. The homes will be made using traditional post and beam framing and will utilize cellulose insulation, thus giving the homes a high R-Value, greatly reducing the amount of electricity needed to operate. The houses will also be designed and situated in a way to reduce the sun's direct contact with windows during the summer, and to utilize passive solar to warm the house during winter months. The electricity needed will come from solar panels, mounted on the roof and linked to power lines using grid tie inverters. Using this system, the homes will create electricity during daylight hours and will feed any surplus power back into the grid. During times when the sun isn't powering the house, the system will draw electricity from the power grid. Companies such as TXU will pay the homeowner for any surplus power generated by the solar panels which should offset the cost of electricity used from the grid. Each home will feature a rear entry garage with driveways large enough to accommodate the city's off-street parking requirements. There will be a paved drive to provide access to the houses that back up to Williams in order to avoid having any driveways exiting onto the traffic of Hwy 66. With the rear facing garages, all the dwellings will face a central, park-like, common space with walkways and native, drought-tolerant landscaping. Access to the common space will be from the front of each house, as well as by a pedestrian only entry from Heath street. The intimacy of the space will encourage neighbors to meet in the central area and for children to play without the danger of vehicles. The layout will also help to define the group of houses and help them fit in better with the architectural style of the surrounding houses. The façade of the houses will include stucco, natural wood and stone with concrete and steel used in the common areas to provide a unified aesthetic throughout. The roofing will be unseen from ground level and the exterior walls will extend above the roof to provide a visual barrier from the solar panels. This will allow for the reclaiming of rain water for use in irrigation, and for the possible upgrade to a triple filtration system that will catch, filter and treat rain water so that it is potable and could provide the dwelling with all of its water needs. While there are several net-zero communities in the U.S., Rockwall Solar Village will be the first of its type in the DFW metroplex. The community will be small, featuring only six houses, but it is a stepping stone to the re-thinking of how houses and housing developments should be approached. R-Fifty Green Homes would love the opportunity to partner with the city of Rockwall to pioneer the green housing movement, not only with Rockwall Solar Village, but with larger projects in the near future.

SUBDIVIDERS STATEMENT

As developer of the property located at 937 Williams, Rockwall, Tx 75087, I will comply with all the city requirements in the proposed subdivision and all such proposals shall conform to or exceed the standards for such improvements prescribed by the city.

Rich Houston

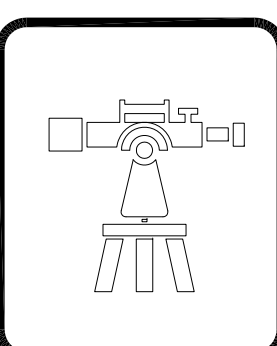


11-5-13

**BOUNDARY ~ COMMERCIAL
HOME BUILDING ~ PLATTING
TITLES ~ CONSTRUCTION**

**PROBECK LAND SURVEYORS
P.O. BOX 550695 ~ DALLAS, TEXAS 75355-0655
OFFICE (972) 897-6277 ~ FAX (214) 501-4180**

**PRELIMINARY PLAT
2.055 ACRES OUT OF THE
REUBEN BALLARD SURVEY, ABSTRACT NO. 29
ROCKWALL COUNTY, TEXAS**



DATE: 11-05-13
FIELD DATE: 10-15-13
JOB NO.: 13-0001
DRAWING: 13-0001
PARTY CHIEF: GP
SCALE: 1" = 50'
GF #: N/A
TITLE CO.: N/A
LENDER: N/A
OWNER:
R FIFTY GREEN HOMES
REVISIONS:
SHEET 1 OF 1

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

OWNERS CERTIFICATE

WHEREAS R FIFTY GREEN HOMES is the owner of all that certain lot, tract, or parcel of land lying and being situated in the Reuben Ballard Survey, Abstract Number 29, having a Patent date of February 23, 1854, Patent Number 112, Patent Volume 9, Certificate Number 889, File Number 001573, City of Rockwall, Rockwall County, Texas, and being all of a 2.055 acre tract of land conveyed by Douglas D. Morris To Douglas and Lynda Morris 2010 Revocable Trust by Warranty Deed dated July 15, 2011, as recorded in Volume 6502, Page 189, of the Deed Records of Rockwall, Rockwall County, Texas, and being that certain tract of land conveyed by Douglas Dwight Morris, as Trustee of the Douglas and Lynda Morris Revocable Trust and Billy Peoples, individually, to R Fifty Green Homes by General Warranty Deed dated October 24, 2013, as recorded in the Official Public Records of Rockwall, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for the southwest corner of the said R Fifty Green Homes tract and being the southeast corner of a called 6.300 acre tract of land conveyed to Rockwall Assembly of God as recorded in Volume 119, Page 973, of the Deed Records of Rockwall, Rockwall County, Texas, said 1/2" iron rod also being in the northwesterly right of way line of Williams Street, a.k.a. State Highway 66, being a (60' Foot Right of Way);

THENCE NORTH 34° 15' 01" WEST, leaving the northwesterly right of way line of said State Highway 66, with the southwesterly line of the said R Fifty Green Homes tract and with the northeasterly line of the said Rockwall Assembly of God tract, passing at a distance of 345.11 feet, a 1/2" iron rod found for the northeast corner of Lot 9, Block A, of Green Meadows Addition, an addition to the City of Rockwall according to the Map or Plat thereof recorded in Cabinet A, Slide 117, of the Plat Records of Rockwall, Rockwall County, Texas, and continuing a total distance of 369.72 feet, to a point for the northwest corner of the said R Fifty Green Homes tract, said point being in the centerline of Heath Street (Variable Width Right of Way);

THENCE NORTH 89° 50' 00" EAST, with the north line of the said R Fifty Green Homes tract, with the centerline of said Heath Street, a distance of 107.51 feet to a point for corner;

THENCE SOUTH 84° 55' 00" EAST, continuing with the north line of said R Fifty Green Homes tract and the centerline of said Heath Street, a distance of 517.42 feet, to a point for the northeast corner of the said R Fifty Green Homes tract, said point being the northwesterly right of way line of said State Highway 66, said point being the beginning of a non-tangent curve to the left, having a radius of 775.01 feet, a chord bearing of South 62° 01' 09" West, and a chord distance of 169.26 feet;

THENCE Southwesterly, with said curve to the left, with the southeasterly line of the said R Fifty Green Homes tract, and with the northwesterly right of way line of said State Highway 66, through a central angle of 12° 32' 18", an arc distance of 169.60 feet, to a 5/8" iron rod with an orange plastic cap stamped "PROBECK 5187" set for the corner;

THENCE SOUTH 55° 45' 00" WEST, continuing with the southwesterly line of the said R Fifty Green Homes tract, with the northwesterly right of way line of said State Highway 66, a distance of 321.00 feet, to the **PLACE OF BEGINNING**, and containing approximately 89,497 square feet, or 2.055 acres of land, more or less.

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Richard Houston is the owner of the land shown hereon and do accept this plat as its plan for the subdivision and the shown Lots and Blocks.

RICHARD HOUSTON OWNER
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____,

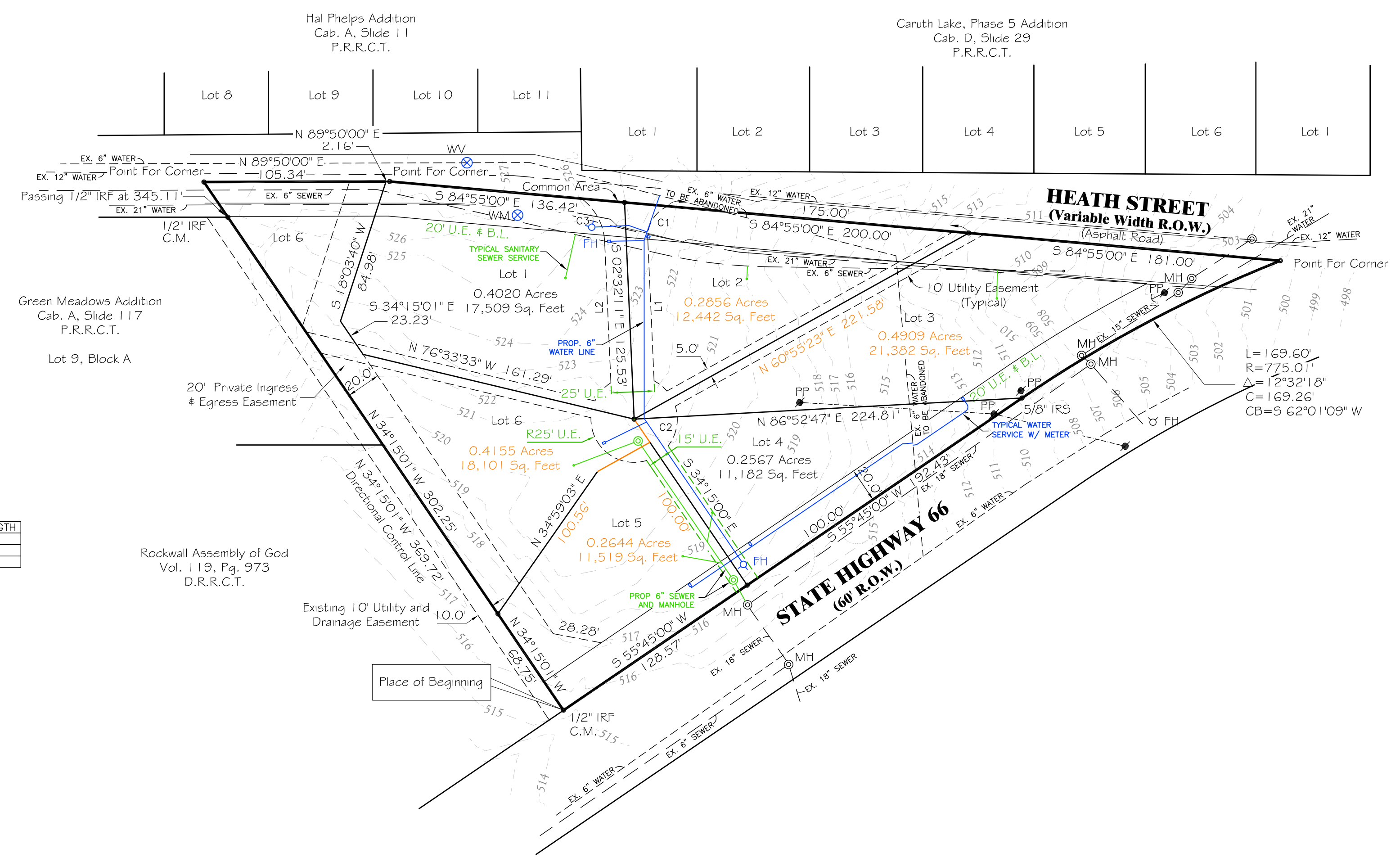
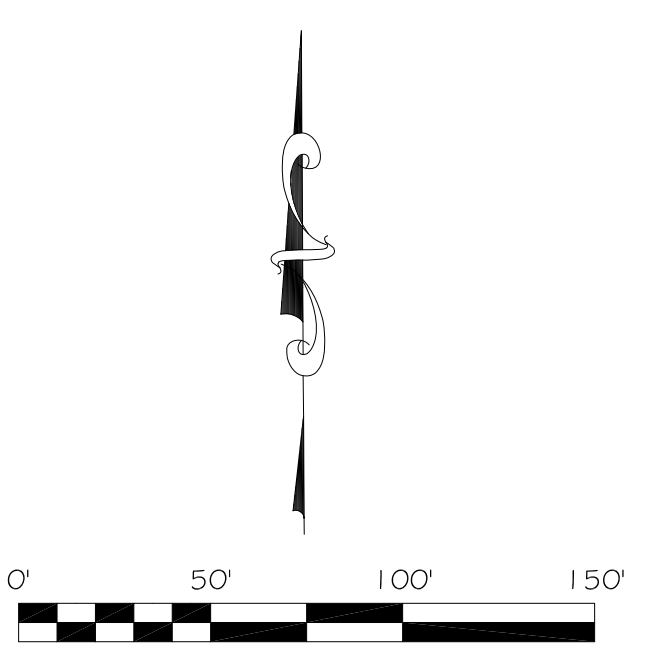
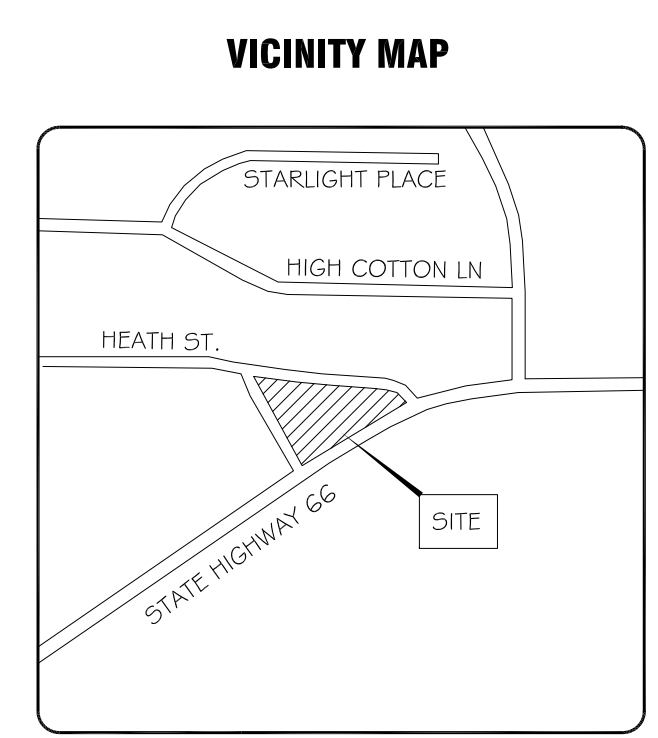
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
My Commission Expires: _____,

SURVEYORS CERTIFICATE
I, LARRY PROBECK, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS THE RESULTS OF AN ON THE GROUND SURVEY. THIS PLAT WAS MADE IN ACCORDANCE WITH THE CURRENT PRACTICES AND PROCEDURES ESTABLISHED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

DATED THIS THE _____ DAY OF _____, 20____.

LARRY PROBECK, R.P.L.S.
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5187

**PRELIMINARY PLAT
SOLA ROCKWALL
LOTS 1-6, BLOCK A
BEING 2.055 ACRES OUT OF THE
REUBEN BALLARD SURVEY ~ ABSTRACT NO. 29
CITY OF ROCKWALL ~ ROCKWALL COUNTY, TEXAS
CASE NUMBER P2013-032**



LINE	BEARING	DISTANCE
L1	N 02°32'11" W	81.31'
L2	N 02°32'11" W	80.97'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	24.40'	19.45'	71°53'29"	S 29°59'40" W	22.83'
C2	130.90'	25.00'	300°00'00"	N 87°27'49" E	25.00'
C3	29.99'	52.80'	52°22'49"	N 27°37'40" W	28.96'

APPROVED FOR PREPARATION OF FINAL PLAT
MAYOR, CITY OF ROCKWALL

MAYOR
Date: _____

REVIEWED FOR PRELIMINARY APPROVAL
PLANNING AND ZONING COMMISSION CHAIRMAN

CHAIRMAN
Date: _____

GENERAL NOTES
BASIS OF BEARING: THE BASIS OF BEARING FOR THIS 2.055 ACRE TRACT IS THE IS THE DEED RECORDED IN CCF# 20130000498757 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS.
ALL IRON RODS SET ARE 5/8" WITH ORANGE PLASTIC CAPS STAMPED "PROBECK 5187".

- LEGEND**
- C.M. = CONTROLLING MONUMENT
 - IRF= IRON ROD FOUND
 - IRS= IRON ROD SET
 - FIRE HYDRANT
 - MANHOLE
 - POWER POLE
 - GUY WIRE
 - WATER METER

OWNER
RICHARD HOUSTON
505 WILLIAMS STREET
ROCKWALL, TEXAS 75087

SURVEYOR
PROBECK LAND SURVEYORS
P.O. BOX 550695
DALLAS, TEXAS 75355-0655
(972) 897-6277 OFFICE
(214) 501-4180 FAX

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

BEFORE ME, the undersigned, a Notary Public in and for said State, on this day personally appeared LARRY PROBECK known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in the capacity herein stated, and for the purposes and consideration therein expressed.

LARRY PROBECK, R.P.L.S. SURVEYOR
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____,

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
My Commission Expires: _____,

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

BEFORE ME, the undersigned, a Notary Public in and for said State, on this day personally appeared RICHARD HOUSTON known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (he/she) executed the same in the capacity herein stated, and for the purposes and consideration therein expressed.

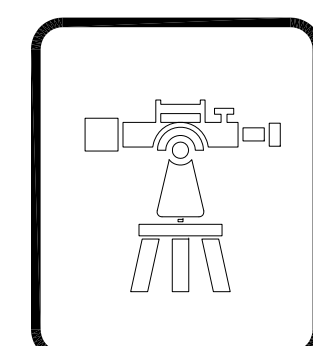
R FIFTY GREEN HOMES OWNER
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____,

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
My Commission Expires: _____,

**BOUNDARY ~ COMMERCIAL
HOME BUILDING ~ PLATTING
TITLES ~ CONSTRUCTION**

**PROBECK LAND SURVEYORS
P.O. BOX 550695 ~ DALLAS, TEXAS 75355-0655
OFFICE (972) 897-6277 ~ FAX (214) 501-4180**

**PRELIMINARY PLAT
2.055 ACRES OUT OF THE
REUBEN BALLARD SURVEY, ABSTRACT NO. 29
ROCKWALL COUNTY, TEXAS**



DATE: 11-05-13
FIELD DATE: 10-15-13
JOB NO.: 13-0001
DRAWING: 13-0001
PARTY CHIEF: GP
SCALE: 1" = 50'
GF #: N/A
TITLE CO.: N/A
LENDER: N/A
OWNER:
R FIFTY GREEN HOMES
REVISIONS:
SHEET 1 OF 1

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

OWNERS CERTIFICATE

WHEREAS R FIFTY GREEN HOMES is the owner of all that certain lot, tract, or parcel of land lying and being situated in the Reuben Ballard Survey, Abstract Number 29, having a Patent date of February 23, 1854, Patent Number 112, Patent Volume 9, Certificate Number 889, File Number 001573, City of Rockwall, Rockwall County, Texas, and being all of a 2.055 acre tract of land conveyed by Douglas D. Morris To Douglas and Lynda Morris 2010 Revocable Trust by Warranty Deed dated July 15, 2011, as recorded in Volume 6502, Page 189, of the Deed Records of Rockwall, Rockwall County, Texas, and being that certain tract of land conveyed by Douglas Dwight Morris, as Trustee of the Douglas and Lynda Morris Revocable Trust and Billy Peoples, individually, to R Fifty Green Homes by General Warranty Deed dated October 24, 2013, as recorded in the Official Public Records of Rockwall, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for the southwest corner of the said R Fifty Green Homes tract and being the southeast corner of a called 6.300 acre tract of land conveyed to Rockwall Assembly of God as recorded in Volume 119, Page 973, of the Deed Records of Rockwall, Rockwall County, Texas, said 1/2" iron rod also being in the northwesterly right of way line of Williams Street, a.k.a. State Highway 66, being a (60' Foot Right of Way);

THENCE NORTH 34° 15' 01" WEST, leaving the northwesterly right of way line of said State Highway 66, with the southwesterly line of the said R Fifty Green Homes tract and with the northeasterly line of the said Rockwall Assembly of God tract, passing at a distance of 345.11 feet, a 1/2" iron rod found for the northeast corner of Lot 9, Block A, of Green Meadows Addition, an addition to the City of Rockwall according to the Map or Plat thereof recorded in Cabinet A, Slide 117, of the Plat Records of Rockwall, Rockwall County, Texas, and continuing a total distance of 369.72 feet, to a point for the northwest corner of the said R Fifty Green Homes tract, said point being in the centerline of Heath Street (Variable Width Right of Way);

THENCE NORTH 89° 50' 00" EAST, with the north line of the said R Fifty Green Homes tract, with the centerline of said Heath Street, a distance of 107.51 feet to a point for corner;

THENCE SOUTH 84° 55' 00" EAST, continuing with the north line of said R Fifty Green Homes tract and the centerline of said Heath Street, a distance of 517.42 feet, to a point for the northeast corner of the said R Fifty Green Homes tract, said point being the northwesterly right of way line of said State Highway 66, said point being the beginning of a non-tangent curve to the left, having a radius of 775.01 feet, a chord bearing of South 62° 01' 09" West, and a chord distance of 169.26 feet;

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THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

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RICHARD HOUSTON OWNER
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____,

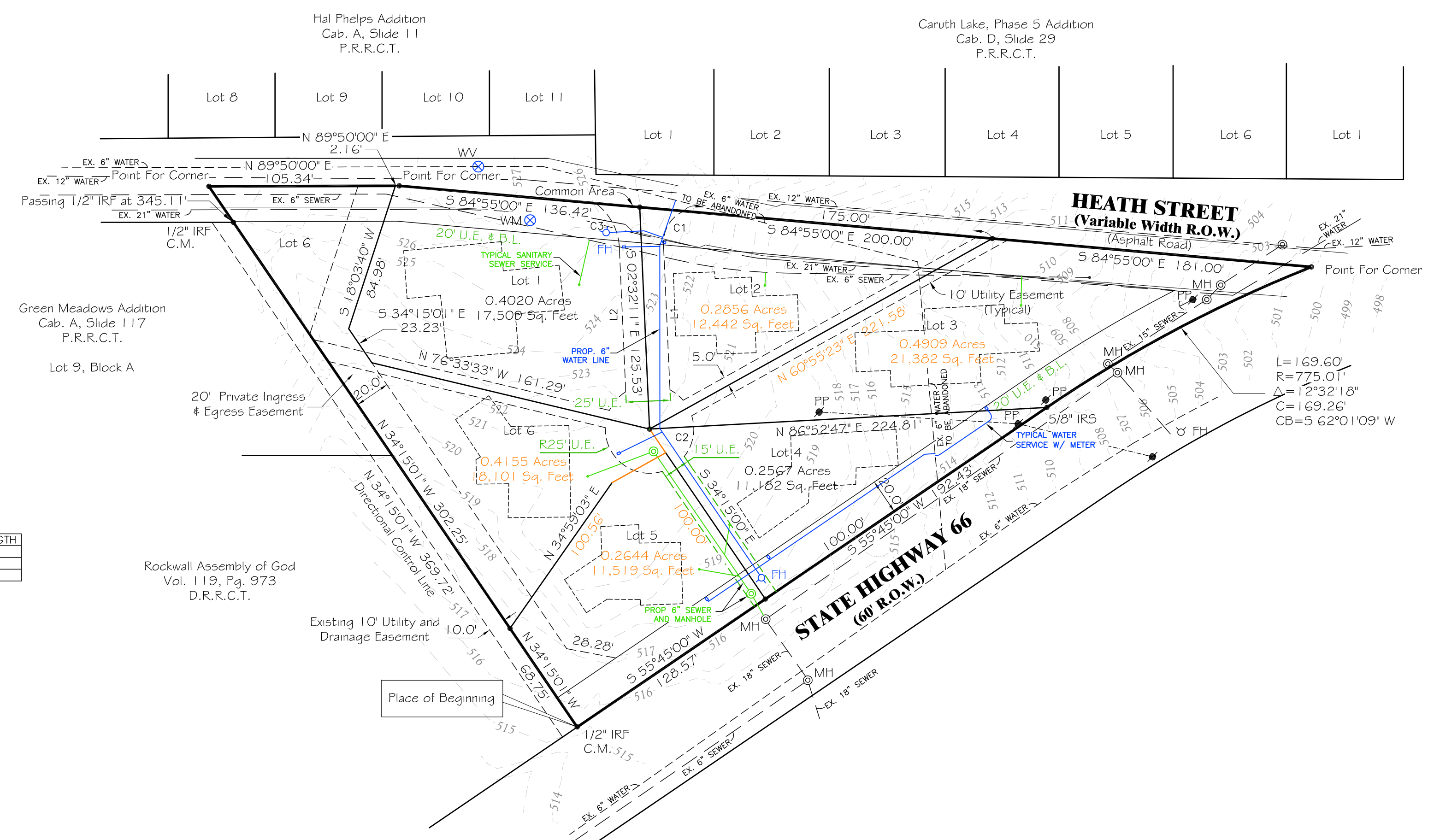
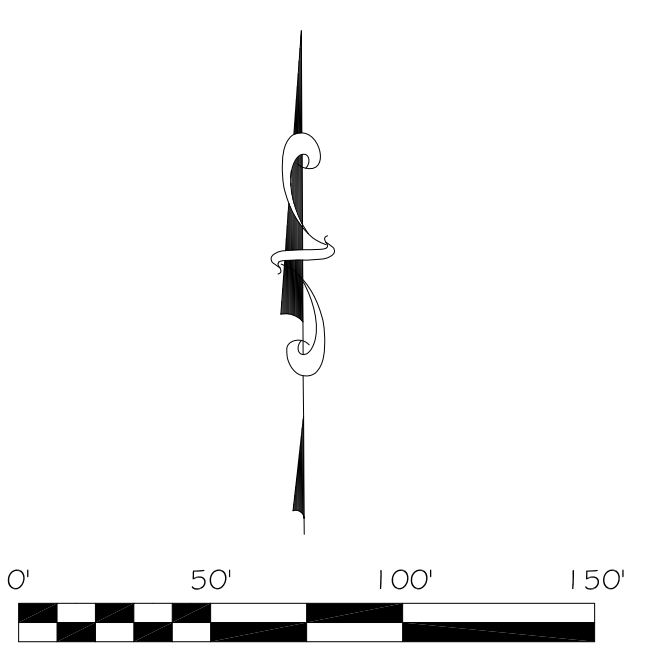
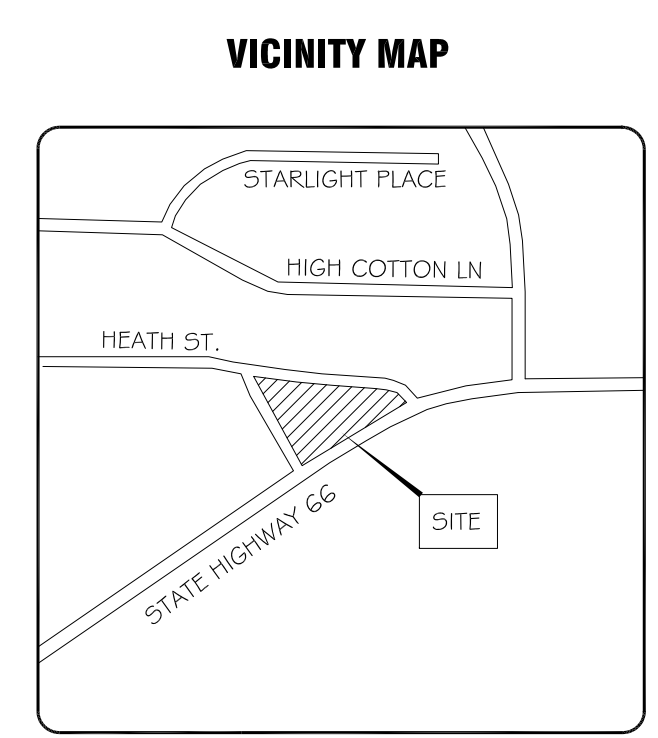
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DATED THIS THE _____ DAY OF _____, 20_____.

LARRY PROBECK, R.P.L.S.
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5187

**PRELIMINARY PLAT
SOLA ROCKWALL
LOTS 1-6, BLOCK A
BEING 2.055 ACRES OUT OF THE
REUBEN BALLARD SURVEY ~ ABSTRACT NO. 29
CITY OF ROCKWALL ~ ROCKWALL COUNTY, TEXAS
CASE NUMBER P2013-032**



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APPROVED FOR PREPARATION OF FINAL PLAT
MAYOR, CITY OF ROCKWALL

MAYOR
Date: _____

REVIEWED FOR PRELIMINARY APPROVAL
PLANNING AND ZONING COMMISSION CHAIRMAN

CHAIRMAN
Date: _____

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- LEGEND**
- C.M. = CONTROLLING MONUMENT
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 - POWER POLE
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 - WATER METER

OWNER
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SURVEYOR
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P.O. BOX 550695
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THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

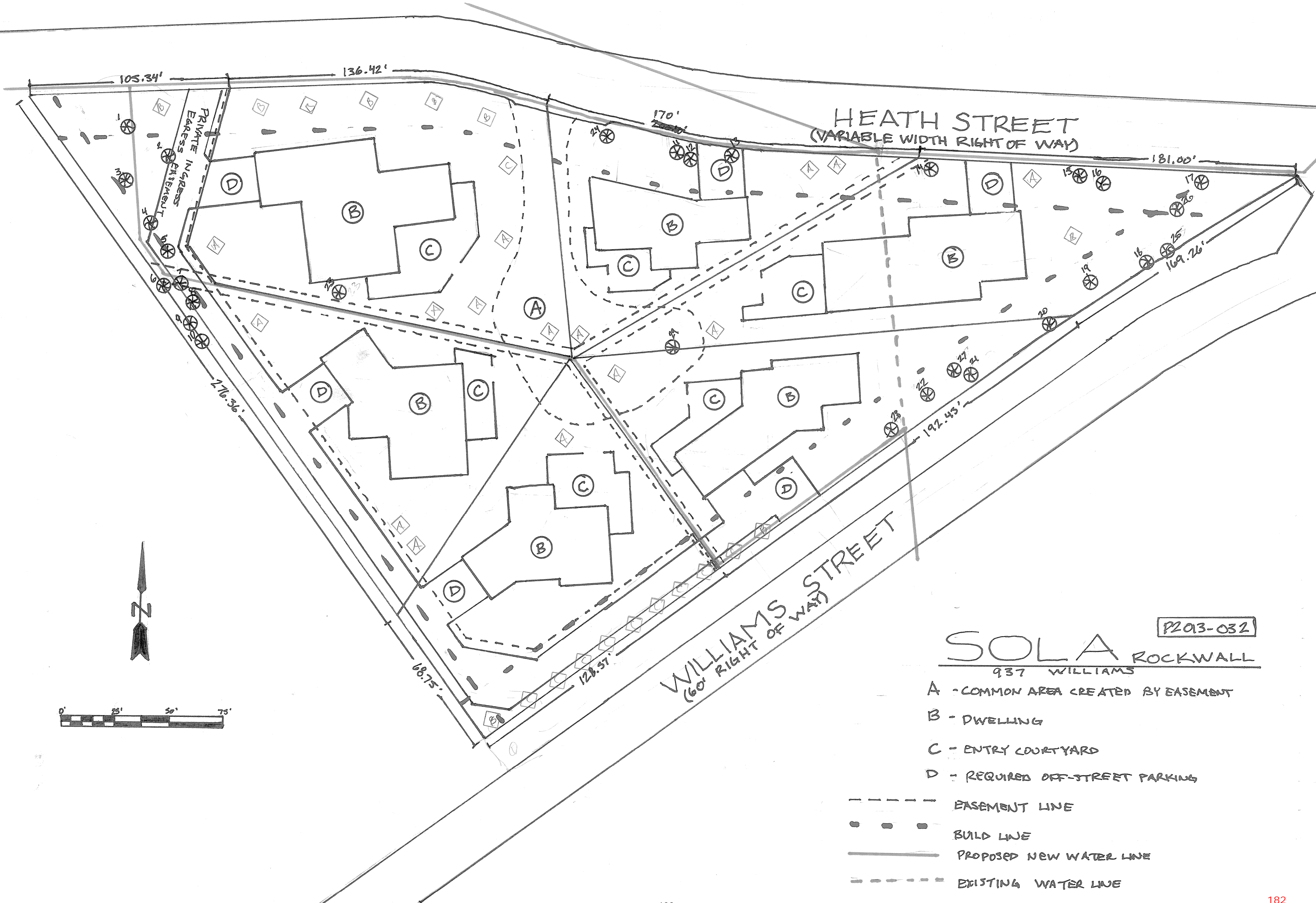
BEFORE ME, the undersigned, a Notary Public in and for said State, on this day personally appeared LARRY PROBECK known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in the capacity herein stated, and for the purposes and consideration therein expressed.

LARRY PROBECK, R.P.L.S. SURVEYOR
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____,
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
My Commission Expires: _____,

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

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R FIFTY GREEN HOMES OWNER
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____,
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
My Commission Expires: _____,



HEATH STREET
(VARIABLE WIDTH RIGHT OF WAY)

WILLIAMS STREET
(60' RIGHT OF WAY)

PRIVATE INGRESS
EGRESS EASEMENT

P2013-032

SOLA ROCKWALL
937 WILLIAMS

- A - COMMON AREA CREATED BY EASEMENT
- B - DWELLING
- C - ENTRY COURTYARD
- D - REQUIRED OFF-STREET PARKING

- - - - - EASEMENT LINE
- - • - • BUILD LINE
- PROPOSED NEW WATER LINE
- - - - - EXISTING WATER LINE

TREE LIST AND PROPOSED MITIGATION

937 Williams

Rockwall, Tx 75087

List of existing trees:

- 1) 10" Hackberry Cluster
- 2) 15" Hackberry
- 3) 10" Hackberry Cluster
- 4) 17" Hackberry
- 5) 12" Hackberry Double
- 6) 15" Hackberry
- 7) 7" Hackberry Triple
- 8) 13" Hackberry
- 9) 9" Hackberry
- 10) 15" Hackberry
- 11) 16" Hackberry
- 12) 14" Hackberry
- 13) 12" Hackberry
- 14) 19" Hackberry
- 15) 12" Hackberry
- 16) 12" Hackberry
- 17) 15" Hackberry Double
- 18) 8" Hackberry
- 19) 16" Pecan
- 20) 8" Hackberry
- 21) 11" Hackberry
- 22) 23" Hackberry
- 23) 7" Hackberry Double
- 24) 21" Hackberry
- 25) 11" Redbud
- 26) 9" Hackberry
- 27) 9" White Ash
- 28) 19" White Ash

P2013-032

List Of Trees to be Removed:

2) 15" Hackberry

4) 17" Hackberry

5) 17" Hackberry

7) 7" Hackberry Triple

8) 13" Hackberry

Total diameter lost: 69"

List of Trees to be Planted:

A) 3" Live Oak - qty: 15

B) 3" Pecan - qty: 10

C) 3" Redbud - qty: 10

Total diameter added: 105"

Trees to be removed lie on proposed private ingress egress.

New trees will be planted throughout central common area and around perimeter. A large concentration will be planted along the frontage on Williams to provide a visual barrier to the garages and driveways.

P2013-032

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/18/2013

APPLICANT: Corwin Engineering, Inc.

AGENDA ITEM: P2013-034; Rockwall Downs Master Plat

SUMMARY:

Discuss and consider a request by Corwin Engineering, Inc. on behalf of the Cambridge Company, Inc. for the approval of a Master Plat of Phases 1, 2 & 3 of the Rockwall Downs Subdivision, containing 86 single family lots on a 35.651-acre tract of land situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas; zoned Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action necessary.

MASTER PLAT INFORMATION:

- ✓ The purpose of the applicant's request is to preliminary plat 86 single family, residential lots on a 35.651-acre tract of land for the construction of a single family subdivision. The proposed 86 single family lots will be broken down into three (3) phases with Phase 1 containing 32 lots, Phase 2 containing 28 lots, and Phase 3 containing 26 lots. Each single family lot will have a minimum lot size of 55' x 110' (or 6,050 SF). *In conjunction with the submittal of this master plat the applicant has submitted a preliminary plat (P2013-035) showing the specific lot sizes and street layouts.*
- ✓ Of the total 35.651-acre tract of land the applicant has indicated that 15.687-acres will be preserved as open space, with approximately five (5) acres adjacent to John King Boulevard being designated as a private park. Additionally, the applicant has indicated that a ten (10) foot sidewalk will be constructed adjacent to the east side of John King Boulevard.
- ✓ On November 5, 2013 the Parks Board reviewed the proposed master plat and recommended the following:
 1. The developer provides a ten (10') foot sidewalk and trail rest stop along John King Boulevard per the recommendations of the John King Boulevard Design Concept Plan contained in the Comprehensive Plan.
 2. The developer pay the remaining pro-rata equipment fees required for Parks District No. 25 in the amount of \$187,500.00. This was part of the development agreement adopted by Ordinance No. 04-25 and contained within Planned Development District 10 (PD-10). The cost of improvements within the private open space/parkland, the ten (10) foot sidewalk and trail rest stop will be credited towards meeting the required pro-rata equipment fee.
 3. The proposed five (5) acres of private parkland shall be accepted and satisfy the remaining parkland dedication requirements contained in Ordinance No. 04-25 for private open space/park land. This private open space/parkland shall be maintained by the Homeowner's Association (HOA); however, the HOA shall not be responsible for the maintenance of the proposed ten (10) foot sidewalk or trail rest stop.

4. The proposed trail rest stop and portions of the sidewalk not adjacent to John King Boulevard shall be situated in a public access easement allowing for public use and maintenance.
- ✓ The subject property is zoned Planned Development District 10 (PD-10), which designates the subject property for single family detached uses. According to Ordinance No. 04-25 the development standards for the subject property are as follows:

<i>Ordinance Requirements</i>	
Maximum Density (Dwelling Units Per Acre)	5
Minimum SF Per Dwelling Unit	1,500 SF
Minimum Lot Frontage on a Public Street	50'
Minimum Lot Width ¹	50'
Minimum Lot Depth	100'
Minimum Front Yard Setback	20'
Minimum Rear Yard Setback	10'
Minimum Side Yard Setbacks (Internal, Street, Arterial)	5', 15', 20'
Minimum Distance Between Buildings	10'
Maximum Lot Coverage	45%
Maximum Building Height	32'
Minimum Masonry Requirement ²	90%

Notes:

¹: For lots without alley access the minimum lot width is 55-feet.

²: Masonry is defined as brick, stone, cultured stone cementaceous fiberboard and cementaceous stucco.

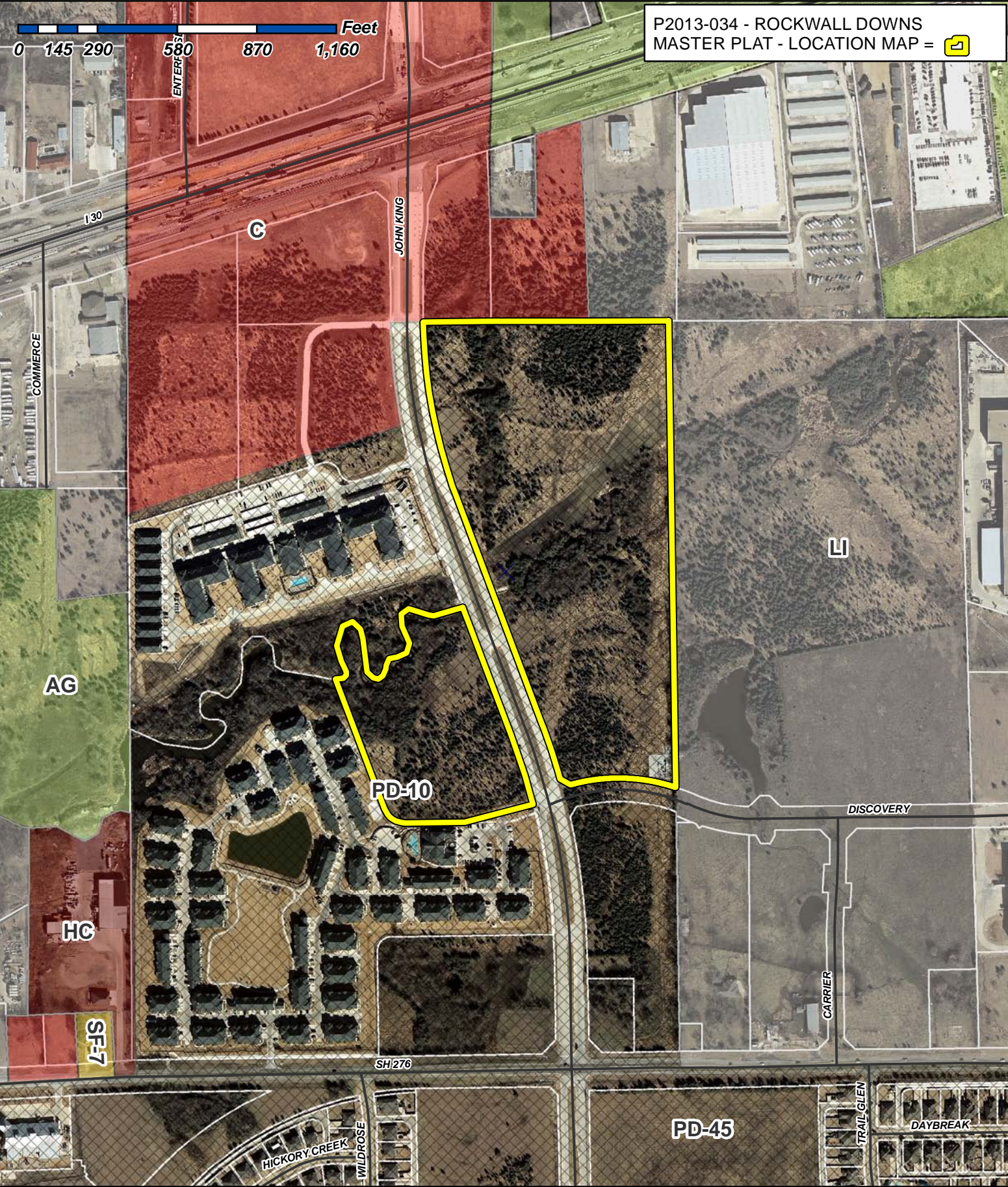
RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *Master Plat* for the *Rockwall Downs Subdivision* staff would recommend the following conditions:

- 1) The *Master Plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;
- 2) In conformance with Ordinance No. 04-25 a site plan, demonstrating conformance with the spirit and intent of Planned Development District 10 (PD-10), shall be submitted and approved prior to the issuance of a building permit;
- 3) The applicant shall adhere to the recommendations made by the Parks Board (*stated above*);
- 4) Any construction resulting from the approval of this *Master Plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 12, 2013, the Planning and Zoning Commission recommended to approve the master plat with staff conditions by a vote of 7 to 0.



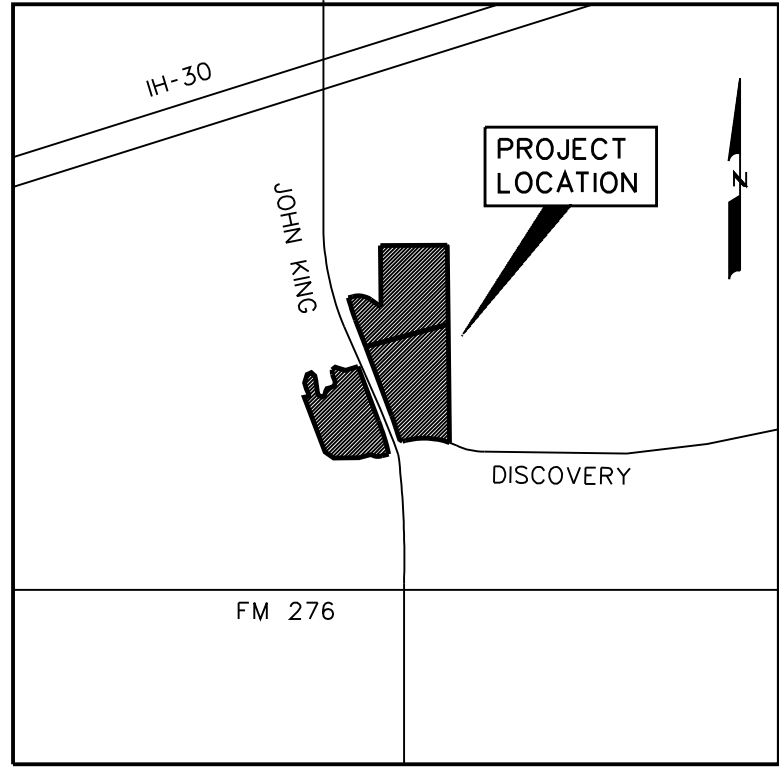
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

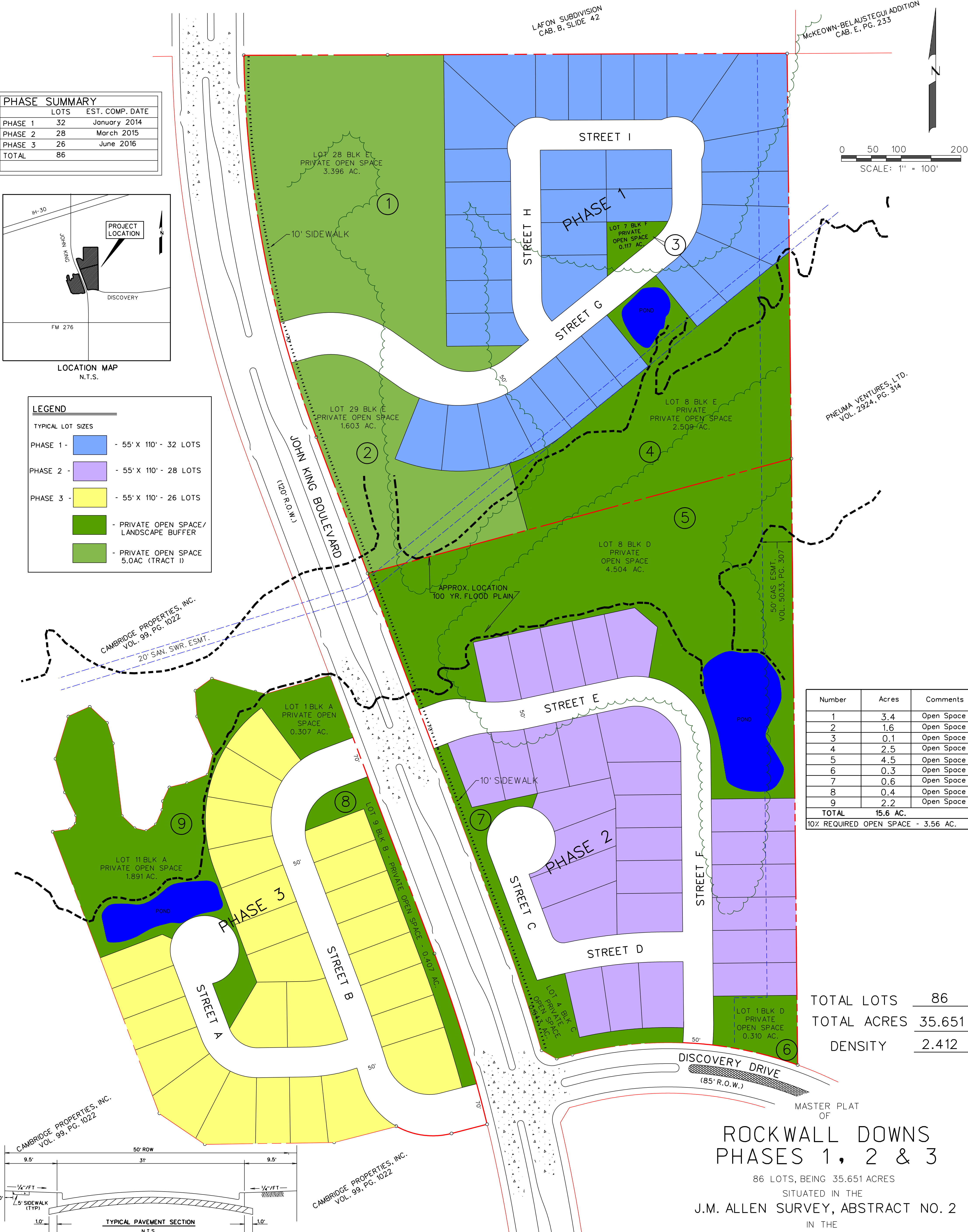
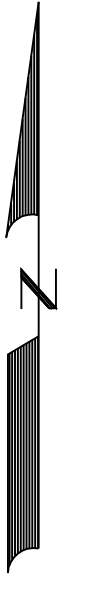
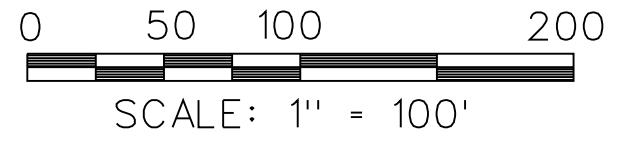
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user. 188



PHASE SUMMARY		
PHASE	LOTS	EST. COMP. DATE
PHASE 1	32	January 2014
PHASE 2	28	March 2015
PHASE 3	26	June 2016
TOTAL	86	

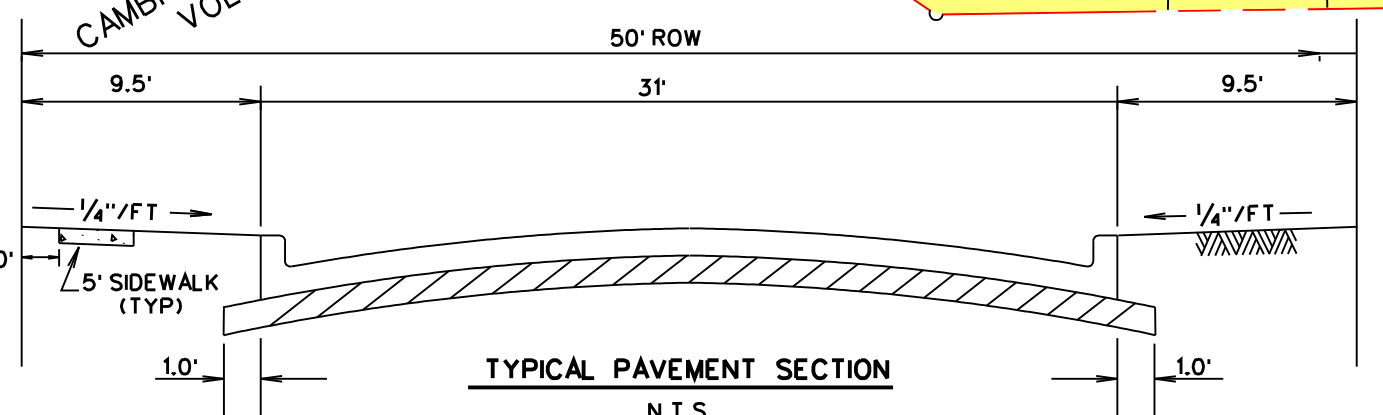


LEGEND	
TYPICAL LOT SIZES	
PHASE 1 - [Blue Box]	- 55' X 110' - 32 LOTS
PHASE 2 - [Purple Box]	- 55' X 110' - 28 LOTS
PHASE 3 - [Yellow Box]	- 55' X 110' - 26 LOTS
[Green Box]	- PRIVATE OPEN SPACE/ LANDSCAPE BUFFER
[Light Green Box]	- PRIVATE OPEN SPACE 5.0AC (TRACT I)



Number	Acres	Comments
1	3.4	Open Space
2	1.6	Open Space
3	0.1	Open Space
4	2.5	Open Space
5	4.5	Open Space
6	0.3	Open Space
7	0.6	Open Space
8	0.4	Open Space
9	2.2	Open Space
TOTAL	15.6 AC.	
10% REQUIRED OPEN SPACE - 3.56 AC.		

TOTAL LOTS	86
TOTAL ACRES	35.651
DENSITY	2.412



NOTES:

10' SIDEWALK WILL BE CONSTRUCTED BY DEVELOPER ALONG EAST SIDE OF JOHN KING BOULEVARD IN CONJUNCTION WITH THE CONSTRUCTION OF EACH PHASE.

ALL OPEN SPACES ARE FOR PRIVATE USE.

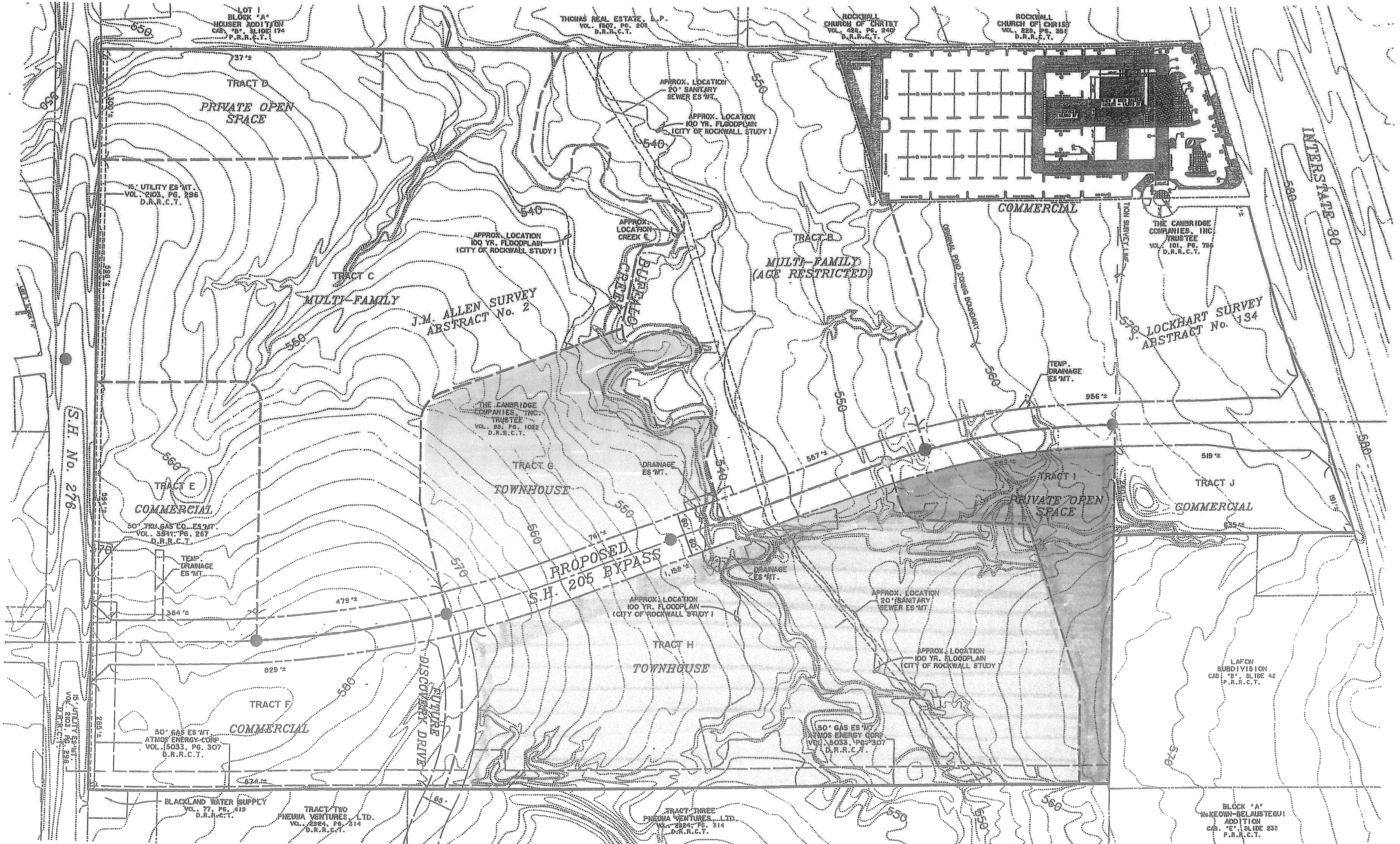
HOA WILL MAINTAIN MEDIANS ALONG JOHN KING BOULEVARD THAT ARE ADJACENT TO EACH PHASE.

AN EXISTING WATER LINE IN JOHN KING BOULEVARD WILL SERVE AS CONNECTION FOR WATERLINES FOR THESE PHASES. AN EXISTING SANITARY SEWER LINE IN BUFFALO CREEK WILL SERVICE THESE PHASES. DETENTION WILL BE REQUIRED FOR ALL PHASES. JOHN KING BOULEVARD AND DISCOVERY DRIVE WILL SERVE AS STREET CONNECTIONS FOR THESE PHASES.

OWNER
CAMBRIDGE COMPANY, INC. TRUSTEE
8235 DOUGLAS AVE., SUITE 650
DALLAS, TEXAS 75225
214-691-2556

Zoning: PD-10
DEVELOPED: DETACHED SINGLE FAMILY
TRACTS G, H & I

MASTER PLAT OF
**ROCKWALL DOWNS
PHASES 1, 2 & 3**
86 LOTS, BEING 35.651 ACRES
SITUATED IN THE
J.M. ALLEN SURVEY, ABSTRACT NO. 2
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200
OCTOBER 2013 SCALE 1" = 100'
CASE #P2013-034



TRACT	GROSS ACREAGE	R.O.W. ACREAGE (INCLUDING FUTURE AS SHOWN)	CITY OF ROCKWALL STUDY 100 YR. FLOODPLAIN ACREAGE (A)	NET ACREAGE GROSS-R.O.W.	NET ACREAGE GROSS-R.O.W. & CITY FLOODPLAIN (A)
A	22.84	1.55	-	21.29	-
B	18.93	0.77	5.40	18.16	12.76
C	26.34	0.67	4.09	27.67	23.58
D	5.00	-	-	-	-
E	7.00	0.53	-	6.47	-
F	9.04	1.73	-	7.31	-
G	9.52	1.06	1.51	8.45	5.95
H	24.35	2.10	5.24	22.25	17.01
I	5.10	0.52	-	4.58	-
J	4.00	0.32	-	3.68	-
TOTAL	134.80	10.25	16.24	124.55	107.72

NOTE: ALL AREAS PERTAINING TO FLOODPLAIN ARE APPROXIMATE.

LEGEND	
	PROPOSED ZONING BOUNDARY
	PROPOSED RIGHT-OF-WAY
	FUTURE RIGHT-OF-WAY
	APPROXIMATE LOCATION FUTURE 100 YR. FLOODPLAIN (CITY OF ROCKWALL)
	MEDIAN OPENING LOCATION

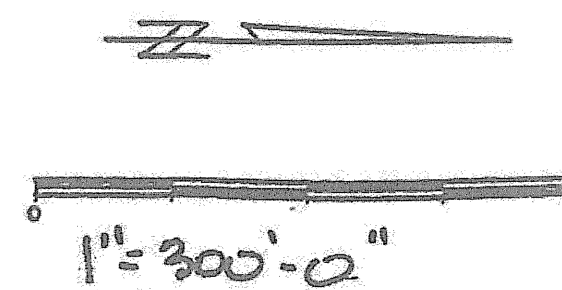


EXHIBIT SHOWING:
 PROPOSED ZONING BOUNDARIES
 FOR THE CAMBRIDGE COMPANIES, INC.
 PROPERTIES ALONG PROPOSED
 S.H. No. 205 BYPASS IN THE CITY OF
 ROCKWALL, ROCKWALL COUNTY, TEXAS

PREPARED BY
WMA WIER & ASSOCIATES, INC.
 ENGINEERS SURVEYORS LAND PLANNERS
 4305 HUNTER PLACE, SUITE 100, ROCKWALL, TEXAS 75087 (972) 970-7100
 2002 U.S. PATENT # 6,342,811. © 2002 WMA WIER & ASSOCIATES, INC. ALL RIGHTS RESERVED. THIS DRAWING IS UNLESS OTHERWISE SPECIFIED BY THE DRAWING.

DATE: 05-08-2007

END
 - BUILDING LINE
 - E. - SANITARY SEWER EASEMENT
 - W. - RIGHT OF WAY
 - H.A. - HOMEOWNERS ASSOCIATION
 - STREET NAME CHANGE

$\Delta = 32^\circ 49' 32''$
 $R = 1890.00'$
 $T = 330.29'$
 $L = 653.98'$
 $C = 650.72'$
 $B = N10^\circ 44' 44'' W$

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	S 82° 09' 01" W	28.80'
2.	N 49° 39' 11" E	13.91'
3.	N 02° 44' 36" E	13.91'
4.	N 29° 48' 01" E	42.88'
5.	N 15° 54' 01" E	52.28'
6.	N 16° 52' 17" E	73.78'
7.	N 85° 34' 29" E	35.28'
8.	S 47° 03' 28" E	38.20'
9.	S 16° 00' 28" E	35.87'
10.	S 06° 59' 49" E	122.44'
11.	S 46° 08' 01" E	28.88'
12.	N 76° 08' 01" E	20.02'
13.	N 55° 37' 58" E	20.02'
14.	N 76° 08' 01" E	20.02'
15.	N 03° 31' 08" E	14.68'
16.	N 29° 04' 31" E	40.42'
17.	N 76° 08' 01" E	20.02'
18.	N 03° 31' 08" E	14.68'
19.	N 14° 36' 19" E	31.25'
20.	N 23° 28' 03" E	67.33'
21.	N 04° 00' 39" E	43.23'
22.	N 93° 49' 58" E	34.08'
23.	S 73° 58' 24" E	93.78'
24.	N 73° 58' 24" E	111.02'
25.	S 75° 33' 00" E	26.84'
26.	N 60° 02' 19" E	29.24'

LINE TABLE

LINE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	04° 47' 55"	2560.00'	214.70'	107.26'	214.34'	N18° 15' 34" W
2.	07° 02' 50"	2440.00'	239.40'	149.89'	239.22'	S17° 08' 36" E



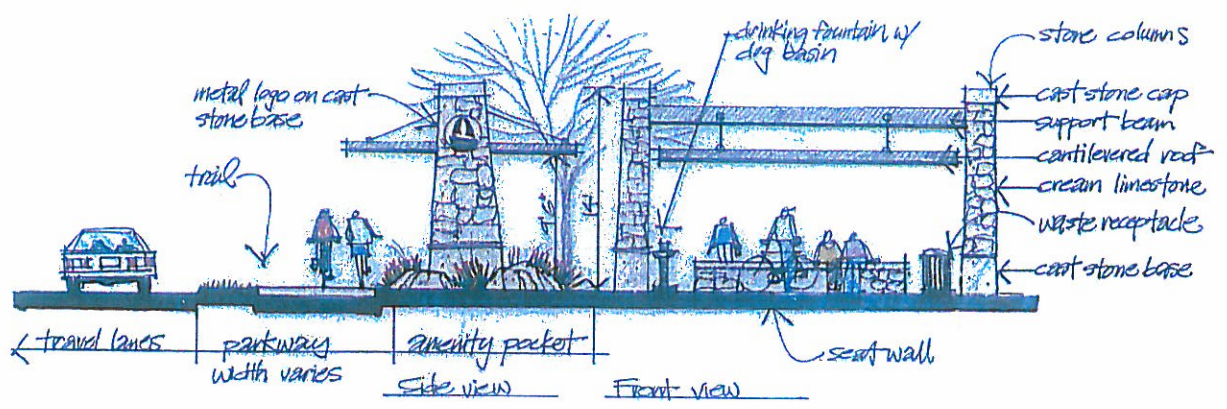
- 4' SIDEWALK TRAIL
- LANDSCAPE AREA
- TRAIL REST AREA PER TOURNAPE, IN SEPTEMBER, 2009 CONCEPT PLAN (SEE CONCEPTUAL ELEVATION BELOW)
- LANDSCAPE AREA
- 500' TRACT I PRIVATE OPEN SPACE
- OPEN SPACE W/ NATIVE VEGETATION (PRESERVE AREA)
- BLVD MENTAL W/ LANDSCAPE AND 4' MASONRY MONUMENT SIGNAGE (TYP) MAINTAINED BY HOA
- 10' SIDEWALK (WITHIN SIDEWALK PLANT AND 25' LBS. BUFFER AS ACCESS EASEMENT)
- MIN. 25' LANDSCAPE BUFFER TO BE LANDSCAPED/IRRIGATED.
- 6' WEIGHTED IRON FENCING
- 6' MASONRY WALL
- Max. 300' w/ 20' of 4' offset
- 4' SIDEWALK WITHIN DISCOVERY DR. PARKWAY.

$\Delta = 34^\circ 11' 09''$
 $R = 642.50'$
 $T = 197.57'$
 $L = 383.35'$
 $C = 377.69'$
 $B = N87^\circ 21' 25'' W$

$\Delta = 43^\circ 48' 13''$
 $R = 125.00'$
 $T = 50.25'$
 $L = 95.56'$
 $C = 93.25'$
 $B = N82^\circ 32' 53'' W$

North
 1" = 200'-0"

- GENERAL NOTES:
- ALL AREAS TO BE MAINTAINED BY THE HOA.
 - FINAL HARDSCAPE / LANDSCAPE PLANS TO BE SUBMITTED DURING FINAL PLAT / ENGINEERING.
 - ALL DETENTION AREAS TO BE DETERMINED AT FINAL ENGINEERING. DETENTION AREAS NOT TO BE LOCATED WITHIN 100 YEAR FLOOD PLAIN AND TO BE MAINTAINED BY HOA.



CONCEPTUAL TRAIL REST AREA: D.T.S.

Rockwall Downs 10/20/13
 concept open space / trail / king screening plan

NOTE: ALL MEASURES ARE APPROXIMATE

SUMMARY:

- TR 4.0 AC.
- TR 35.3 AC
- COMM 18.5 AC
- Zoned Commercial 7.0 AC
- Private OS 107.4 AC
- Private OS 2.8 AC

Location Map

Note: All Within City of Rockwall City

PROPOSED TRUCK ROW (ZONED COMMERCIAL)

Zoned Commercial

COMMERCIAL (ZONED TRACT)
Zoned Commercial C

PRIVATE OPEN SPACE (15.0 AC)

PRIVATE OPEN SPACE (1.0 AC)

PRIVATE OPEN SPACE (2.5 AC)

COMMERCIAL (1.0 AC)

FUTURE PROPOSED TRUCK ROW (125' ROW)

MULTI-FAMILY (APPROXIMATE) (18.0 AC)

TOWNHOUSE (25.3 AC)

TOWNHOUSE (10.0 AC)

PROPOSED 50' ONE WAY EXIT / BUFFER

MULTI-FAMILY (28.0 AC)

COMMERCIAL (7.5 AC)

PRIVATE OPEN SPACE 5.0 AC

COMMERCIAL (7.0 AC)

This Easement is Subject to the Easement in Volume 75, Page 131 D.R.A.C.

UNIT EASEMENT VOL. 103, PG. 24

50' Min. DCL Permanent Easement

EXHIBIT B

Handwritten initials/signature

EXHIBIT "C"

PD 10 DEVELOPMENT STANDARDS

These PD 10 Development Standards apply to the property (the "Property") described on Exhibit "A" attached hereto and made a part hereof for all purposes. The Property encompasses the parcels shown on the PD Preliminary Plan attached hereto as Exhibit "B" and made a part hereof for all purposes, together with Tract 6 described herein as the Town House parcel at the corner of Townsend and S.H. 276.

A. GENERAL REQUIREMENTS FOR PD-10

1. **Flood Plain as Open Space.** The Flood Plain will be developed and maintained as private open space by an HOA or other city-approved body.
2. **Master Development Plan.** A Master Development Plan shall be approved prior to application for platting of any portion of the PD area. Any approved Plat shall be in conformity with the approved Master Development Plan. The Plan will be reviewed for its conformity with the spirit and intent of this ordinance.
3. **Site Plan.** A Site Plan shall be submitted and approved prior to any application for a building permit. The Plan will be reviewed for its conformity with the spirit and intent of this ordinance.
4. **Architectural Review.** All projects within the PD shall receive Architectural Review as part of the approval of Site Plans.
5. **Conformity with Other Ordinances.** Unless in conflict with the standards herein, development shall comply with the standards and procedures established by the City that are in effect at the time. Any planned median openings shall be subject to review and approval by the City. All median openings shall meet design standards of the City.
6. **Streetscape.**
 - a. **205 By-Pass and SH 276 Frontage.**
 - a. **Buffer Strip.** The buffer-strip shall be a minimum of fifteen (15) feet wide for retail/commercial use; twenty-five (25) feet wide for residential use; and fifty (50) feet for office, research-technology and industrial use and include a "built-up" berm and/or shrubbery or a combination of both along the entire length of the subject property's frontage along the 205 Bypass and SH 276 rights-of-way. The minimum required height of the aforementioned berm and/or shrubbery or the combination thereof is thirty (30) inches and shall not exceed a maximum height of forty-eight (48) inches. Sidewalks shall be allowed within the buffer strip as an access easement., as approved by the City.

b. **Buffer-strip Plantings:** Three (3) canopy trees, along with four (4) accent trees shall be required per one hundred (100) feet of the 205 Bypass right-of-way or SH 276 right of way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in Section E – (3) and (4).

c. **Plant Material Sizes.** The following size requirements shall be required:

Canopy Trees: Four (4) inch caliper

Accent Trees: Four (4) feet height

Shrubs: Deciduous: Fifteen (15) inches / 2 gallon minimum

Evergreen: Twelve (12) inches / 2 gallon minimum

d. **Plant Material Selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy Trees: Bur Oak, Red Oak, Live Oak, Cedar Elm, Lacebark Elm, Leyland Cypress

Accent Trees: Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw

7. **Street Standards.** All private streets, excluding drives, fire lanes and private parking areas, shall be built to city public street standards unless otherwise permitted in this ordinance or approved by the City Council.
8. **Screening Walls.** No continuous solid screening walls shall be constructed adjacent to SH 205 By-Pass or SH 276. (Corridor Overlay District Requirements shall not apply to Multi-Family, Townhouse or Single Family development for this section) In addition,
- a. at least 50% of the wall shall be constructed of wrought/ornamental iron or similar material, including landscaping and plantings, to allow a measure of transparency;
 - b. no wall may extend more than 300 feet without being offset by a minimum of 4 feet for a length of at least 20 feet;
 - c. the solid portion of the wall shall be constructed of masonry material as defined in this ordinance.
9. **Buried Utilities.** All overhead utilities shall be placed under ground except at the outer perimeter of PD-10 as shown on Exhibit B including Tract 6 as described in the Settlement Agreement and as otherwise approved by the City of Rockwall.
10. **Lighting.** No light poles shall exceed 20 feet in height. All lighting fixtures shall focus light downward and be contained on site.
11. **Parks.** All residential development within PD-10 will include no dedication of public internal streets directly serving the residential properties within PD 10; therefore, the provisions outlined in Section 24-50, Section 24-46, details herein

outlined, and all other applicable requirements of Chapter 24 of the City of Rockwall Code of Ordinances apply to PD-10, however if public streets are to be dedicated, requirements for park land dedication may be reviewed for compliance

- a. The Calculated pro rata share for mandatory parkland dedication and with current or future ordinance requirements development is:
 - i. Ten (10) acres (as defined by Chapter 24 of the Code of Ordinances of the City of Rockwall) of dedication is required
 - ii. \$375,000 in park development fees (as defined in Chapter 24 of the Code of Ordinances of the City of Rockwall) is required
- b. The requirement for mandatory dedication is waived as provided in Section 24-50.2 of the Code of Ordinances and the following constitutes the development providing private amenities which meet or exceed the calculated pro rata share noted above:
 - iii. A total of ten (10) acres of land meeting the requirements of Chapter 24 will be permanently dedication and zoned for use as private parks space serving Neighborhood Park District No. 24.
 - iv. The developer will propose and submit to the City private parkland design for development (to meet all applicable federal, state, local, and generally accepted park design and development standards) of the private park/s described above for review and approval by the City. Such design shall include providing amenities and parkland development and improvements which meet or exceed the pro rata calculated above (\$375,000) for development fees which amount would be divided between the park areas as determined by the City and which would be due to the City if the development included dedication of public streets serving the residential areas of PD-10.
 - v. The two (2) five-acre tracts shown on Tracts D and I, (which includes land not covered by PD-10 but which the owner has agreed to dedicate as private open space) of Exhibit B hereto attached shall be the location of the ten (10) acres of private parkland serving PD 10.
 - vi. The two (2) five-acre tracts are not contiguous and must be accessible by way of a minimum eight foot wide concrete trail for those residents that will be served by the two tracts referenced above.
 - a. In addition to the sidewalks otherwise required by the City, the developer is responsible for the cost of an eight foot wide concrete sidewalk or trail along the public right-of way or access easement for the 205 Bypass and SH 276 and any dedication of additional right-of-way to allow for the construction of this sidewalk or trail.
 - b. No trail is required along the I-30 right-of way.
 - vii. The developer is required to furnish evidence for approval by the City that the maintenance and operation of the private parks for PD 10 has

been secured such that the City will incur no costs associated with their maintenance and operation.

viii. Plat approval of land for residential purposes east of 205 Bypass shall trigger the construction of the private park amenities east of the 205 Bypass. Plat approval of Tract C, West of 205 Bypass shall trigger the construction of private park amenities west of the 205 Bypass.

11. **Trails.** A trail shall be constructed along SH 205-By-Pass and SH 276 adjacent to the PD 10 development. The developer will be responsible for the cost of an additional 3 feet of width to a standard 5-foot sidewalk along the north side of SH 276, Tracts C and E, and on one side of the 205 By-Pass, Tracts C, E, G, & B, as it passes through this PD.
12. **Additional Provisions.** Any additional provisions not covered within these requirements shall refer to the PD-10 Ordinance requirements.

B. TRACT C AND D MULTI-FAMILY

1. **Land Uses.** Multi-Family, Townhouse and Attached Single Family residential (Townhouse and Attached Single Family shall meet density and development standards outlined under Section D herein) and recreational uses such as an exercise club, a pool, tennis courts, centralized dining or other similar amenities which are ancillary to the residential shall be the only uses allowed. However, a temporary on-site Real Estate Sales Office shall be allowed provided that it and all the other uses meet the city's ordinance requirements at the time they are permitted.
2. **Maximum number of units.** The area west of 205 By-Pass and south of the 100-year flood Plain, Tract C, may contain no more than 336 multi-family units.
3. **Open Space.** A minimum of 20% of the site shall be developed as open space (to include the floodplain) in addition to the requirement for park land dedication set out in "General" above and reflected as Tract D. However, the required parkland (reflects as Tract D) may be integrated with Tract C to better distribute parkland and increase its accessibility.
4. **Masonry Requirement.** Buildings shall contain 95% masonry, excluding windows and doors. For the purposes of this ordinance, masonry shall be defined as brick, stone, cultured stone, cementaceous fiber board (Hardy Plank or similar in 9-inch or smaller width boards) and cementaceous stucco. However, the clubhouse facility shall be constructed of a minimum of 20% stone or cast stone, and any screening wall against SH 205 By-Pass and SH 276 shall employ stone, cultured stone or pre-cast concrete caps along the solid portions of the wall.
5. **Building Height.** Building height shall not exceed 42 feet and 2 stories.
6. **Building Design & Articulation.** The buildings shall be highly articulated in a similar manner to the "Samples of Articulation" drawing in Exhibit "AA" illustrating the exterior finishes and treatments.

E. TRACTS G, H AND I DETACHED SINGLE FAMILY

1. **Common Open Space.** There shall be a minimum of 10% of the gross area of the Tracts developed for open space (to include the floodplain) in addition to the park land requirement referred to in "General" above and reflected as Tract I. However, the required parkland (reflected as Tract I) may be integrated with Tract H to better distribute parkland and increase its accessibility.
2. **Land Uses.** Detached Single Family residential, a clubhouse facility with amenities such as an exercise club, a pool, tennis courts, and a temporary sales office.
3. **Density.** Maximum of 5 units per acre.
4. **Minimum Square Footage-** 1,500 square feet per dwelling unit.
5. **Minimum lot frontage** on a public street – 50 feet measured at the front building line
6. **Minimum lot depth** – 100 feet
7. **Minimum depth of front yard setback** – 20 feet
8. **Minimum depth of rear yard setback** – 10 feet
9. **Minimum width of side yard setback** –
 - a. **Internal lot** – 5 feet
 - b. **Abutting street** – 15 feet
 - c. **Abutting an arterial** – 20 feet
10. **Minimum distance between separate buildings** on the same or parcel of land – 10 feet
11. For lots less than 55 feet in width, **Garages** must be located at the rear of the property with alley access. Alleys are required unless lots back to open space areas in which case the lots shall be a minimum 55 feet in width and provide a front, sided loaded "J" swing garage or a garage toward the rear of the lot, as approved by the City. Lots which are 55 feet or more in width and containing a front-loaded garage must set back the face of the garage at least 3 feet from the nearest front corner of the house, or have a "pass-through" drive to a garage toward the rear of the property. A minimum single car attached garage is required for each lot.
12. **Minimum length of driveway pavement** from public right-of-way for rear, front and side yard – 20 feet
13. **Maximum building coverage** as a percentage of lot area – 45 percent
14. **Maximum building height** – 32 feet
15. **Minimum number of paved off-street parking spaces** required for:
 - a. **One single-family dwelling unit** – 2. An enclosed garage shall not be considered in meeting the off-street parking requirements.

- b. For all other uses see the Comprehensive Zoning Ordinance, Article VI Parking and Loading.
- 16. The dwelling must be permanently attached to a concrete foundation.
- 17. **Masonry Requirement.** Buildings shall contain 90% masonry, excluding windows and doors. For the purposes of this ordinance, masonry shall be defined as brick, stone, cultured stone, cementaceous fiber board (Hardy Plank or similar in 9-inch or smaller width boards) and cementaceous stucco. However, any clubhouse facility shall be constructed of a minimum of 20% stone or cast stone and any screening wall against 205 By-Pass and SH 276 shall employ stone, cultured stone or pre cast concrete caps along the solid portions of the wall.
- 18. **Subdivision Site Plan Review.** Site Plans for the subdivision shall be reviewed and include the following information (individual lot site plans will not be reviewed):
 - a. The location of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within 100 feet;
 - b. Landscaping, lighting and/or fencing and/or screening of yards and setback areas;
 - c. Design of ingress and egress;
 - d. Off-street parking and loading facilities;
 - e. Location of Fire Lanes;
 - f. Location of solid waste collection facilities;
 - g. Height of all structures;
 - h. Proposed uses;
 - i. The location and types of all signs, including lighting and heights;
 - j. Elevation drawings citing proposed exterior finish materials;
 - k. Street names on proposed streets;
 - l. Such additional information and detail as the Zoning Administrator deems necessary.

F. TRACT E COMMERCIAL (NW Corner of SH 276 and SH 205 By-Pass)

- 1. **Land Uses.** Only the following uses shall be allowed: (+ denotes special conditions required for use within the existing or any future zoning ordinance of the City) (outside storage allowed only as authorized under the Commercial zoning district)

Animal Clinic for small animals, no outdoor pens +
Antique/Collectible Store
Astrologer, Hypnotist, or Psychic Art and Science
Banquet Facility
Beverage Service Facility, Portable +
Blood Plasma Donor Center
Church/House of Worship +
Day Care (7 or more Children)
Car Wash/Auto Detail +
Catering Service
Christmas Tree Sales Lot & Similar Uses, Temporary +
Copy Center
Cosmetics, Permanent +
Electrical, Watch, Clock, Jewelry & Similar Repair
Financial Institution with Drive-Through
Financial Institution without Drive-Through
Garden Center (CUP of SUP required)
General Personal Service
General Retail Store, 25,000 Sq. Ft. or more (CUP or SUP for any
store greater than 50,000 s.f.)
General Retail Store, Less than 25,000 Sq. Ft.
Hair Salon, Manicurist
Health Club
Laundry, Drop-off/Pickup
Laundry, Self Service
Locksmith
Massage Therapist
Mini-Warehouse +
Municipally Owned or Controlled Facilities, Utilities and Uses
Museum or Art Gallery
Office Building, 5,000 s.f. or more
Office, General
Pet Shop
Private Club, Lodge or Fraternal Organization
Post Office, Local Service
Rental Store, w/o Outside Storage and Display
Restaurant, Less than 2000 Sq. Ft., with Drive-Thru (limited to one
per 1,000 feet measured from property line)
Restaurant, 2000 Sq. Ft. or more, w/o Drive-Thru
Restaurant, Less than 2000 Sq. Ft., w/o Drive-Thru
Restaurant, 2000 Sq. Ft. or more, with Drive-Thru (limited to one per
1,000 feet measured from property line)
Restaurant with accessory Private Club or Brew Pub
Retail store with gasoline product sales limited to 4 dispensers and 8
vehicles
Shoe and Boot Repair and Sales
Studio - Art, Photography or Music
Tailor, Clothing or Apparel Shop

Temporary on site Construction Office

Theater

These uses shall meet the any zoning ordinance standards in effect at the time of permitting.

2. **Materials.** Commercial Tract E shall meet the building material requirements for Multi-Family above.
3. **Site Layout.** The Commercial Area A shall be laid out in a manner that is pedestrian-friendly and provides easy access to the adjacent multi-family development.
4. **Mechanical Equipment.** Rooftop mechanical equipment and other appurtenances must be screened
5. **Roofs.** Buildings with 6,000 s.f. or less must be constructed with a pitched roof.
6. **Shared Parking and Access.** The Commercial development shall include shared parking and access.
7. **Signs.** No free-standing pole signs shall be allowed; only monument-style signs.

G. TRACT F COMMERCIAL (NE Corner of SH 276 and SH 205 By-Pass)

1. **Land Uses.** Only the following uses shall be allowed: (+ denotes special conditions required within the existing or any future zoning ordinance of the City) (outside storage allowed only as authorized under the Commercial zoning district)

Animal Clinic for small animals, no outdoor pens +

Antique/Collectible Store

Astrologer, Hypnotist, or Psychic Art and Science

Banquet Facility

Beverage Service Facility, Portable +

Blood Plasma Donor Center

Church/House of Worship +

Day Care (7 or more Children)

Car Wash/Auto Detail +

Catering Service

Christmas Tree Sales Lot & Similar Uses, Temporary +

Copy Center

Cosmetics, Permanent +

Electrical, Watch, Clock, Jewelry & Similar Repair

Financial Institution with Drive-Through

Financial Institution without Drive-Through

Garden Center (CUP or SUP Required)

General Personal Service

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/18/2013

APPLICANT: Corwin Engineering, Inc.

AGENDA ITEM: P2013-035; Rockwall Downs Preliminary Plat

SUMMARY:

Discuss and consider a request by Corwin Engineering, Inc. on behalf of the Cambridge Company, Inc. for the approval of a Preliminary Plat for Phases 1, 2 & 3 of the Rockwall Downs Subdivision, containing 86 single family lots on a 35.651-acre tract of land situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas; zoned Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action necessary.

PRELIMINARY PLAT INFORMATION:

- ✓ The purpose of the applicant’s request is to preliminary plat 86 single family, residential lots on a 35.651-acre tract of land for the construction of a single family subdivision. The proposed 86 single family lots will be broken down into three (3) phases with Phase 1 containing 32 lots, Phase 2 containing 28 lots, and Phase 3 containing 26 lots. Each single family lot will have a minimum lot size of 55’ x 110’ (or 6,050 SF). *In conjunction with the submittal of this preliminary plat the applicant has submitted a master plat (P2013-034) showing the phasing plan for the subdivision.*
- ✓ Of the total 35.651-acre tract of land the applicant has indicated that 15.687-acres will be preserved as open space, with approximately five (5) acres adjacent to John King Boulevard being designated as a private park. Additionally, the applicant has indicated that a ten (10) foot sidewalk will be constructed adjacent to the east side of John King Boulevard.
- ✓ The subject property is zoned Planned Development District 10 (PD-10), which designates the subject property for single family detached uses. According to Ordinance No. 04-25 the development standards for the subject property are as follows:

<i>Ordinance Requirements</i>	
Maximum Density (Dwelling Units Per Acre)	5
Minimum SF Per Dwelling Unit	1,500 SF
Minimum Lot Frontage on a Public Street	50’
Minimum Lot Width ¹	50’
Minimum Lot Depth	100’
Minimum Front Yard Setback	20’
Minimum Rear Yard Setback	10’
Minimum Side Yard Setbacks (Internal, Street, Arterial)	5’, 15’, 20’
Minimum Distance Between Buildings	10’
Maximum Lot Coverage	45%
Maximum Building Height	32’

Notes:

¹: For lots without alley access the minimum lot width is 55-feet.

²: Masonry is defined as brick, stone, cultured stone cementaceous fiberboard and cementaceous stucco.

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for preliminary plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

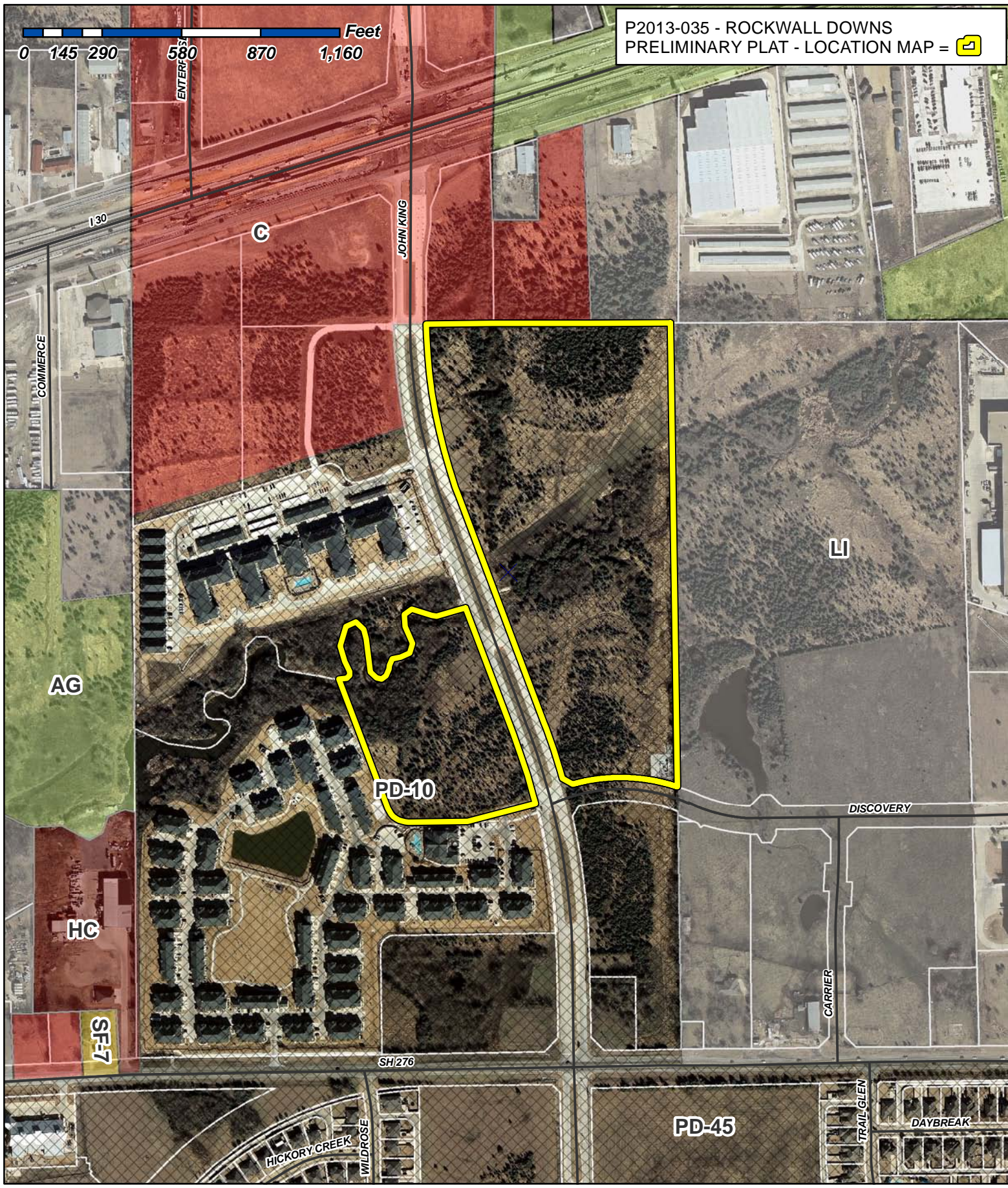
RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *Preliminary Plat* for the *Rockwall Downs Subdivision* staff would recommend the following conditions:

- 1) The *Preliminary Plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;
- 2) In conformance with Ordinance No. 04-25 a site plan, demonstrating conformance with the spirit and intent of Planned Development District 10 (PD-10), shall be submitted and approved prior to the issuance of a building permit;
- 3) A Treescape Plan for the entire development shall be required to be submitted with the Final Plat;
- 4) The Preliminary Plat shall conform to the recommendations made by the Parks Board for the *Master Plat (Case No. P2013-035)*; and,
- 5) Any construction resulting from the approval of this *Preliminary Plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 12, 2013, the Planning and Zoning Commission recommended to approve the preliminary plat with staff conditions by a vote of 7 to 0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user. 204



The Cambridge Companies, Inc.
8235 Douglas Avenue, Suite 650, LB-65 Dallas, Texas 75225
Telephone 214 691-2556 Facsimile 214 691-0682

Cambridge

October 29, 2013

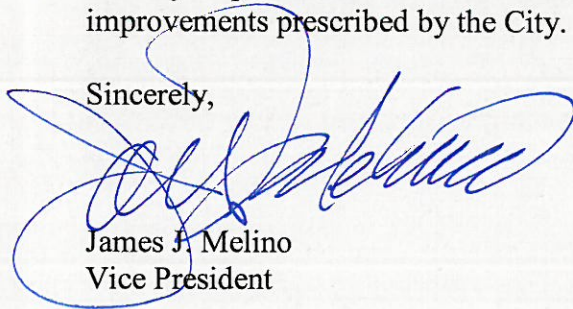
Mr. Ryan Miller, Senior Planner
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

Re: Rockwall Downes Development, LLC
The Cambridge Companies, Inc., Trustee

Dear Mr. Miller:

Please be advised that the development of Rockwall Downes will comply with all City requirements and will conform to or exceed the standards for such improvements prescribed by the City.

Sincerely,



James J. Melino
Vice President

Rockwall Downs Ph. 1

Block E		Block E		Block F	
Lot	SF	Lot	SF	Lot	SF
1	7135	16	6032	1	8462
2	7135	17	6050	2	6050
3	7135	18	6050	3	6050
4	6917	19	5964	4	7268
5	6050	20	11544	5	7189
6	6050	21	10622	6	5972
7	6050	22	5986	7	5114*
8	109301*	23	6050		
9	6460	24	6050		
10	8639	25	6050		
11	11344	26	6071		
12	8266	27	60828		
13	9075	28	147949*		
14	16803	29	75492*		
15	8904				

* Denotes open space lots

Rockwall Downs Ph. 2

Block C		Block C		Block D	
Lot	SF	Lot	SF	Lot	SF
1	7918	16	6050	1	13545*
2	6361	17	6191	2	7700
3	6361	18	7746	3	7700
4	28046*			4	7700
5	8803			5	7700
6	7087			6	7700
7	7884			7	7700
8	8783			8	196567*
9	7241			9	7675
10	6050			10	6050
11	6050			11	6050
12	6062			12	6050
13	6480			13	6349
14	10873				
15	7700				


* Denotes open space lots

Rockwall Downs Ph. 3

Block A		Block A		Block B	
Lot	SF	Lot	SF	Lot	SF
1	12951*	16	9290	1	10153
2	7510	17	8654	2	6141
3	7510	18	6240	3	6141
4	7510	19	6437	4	6060
5	6630	20	8881	5	6050
6	7087			6	6050
7	7150			7	6050
8	7401			8	6006
9	9284			9	17749*
10	8401				
11	82436*				
12	6318				
13	6050				
14	6050				
15	7322				

* Denotes open space lots

LEGEND

B.L. - BUILDING LINE
 S.S.E. - SANITARY SEWER EASEMENT
 R.O.W. - RIGHT OF WAY
 H.O.A. - HOMEOWNERS ASSOCIATION
 - STREET NAME CHANGE

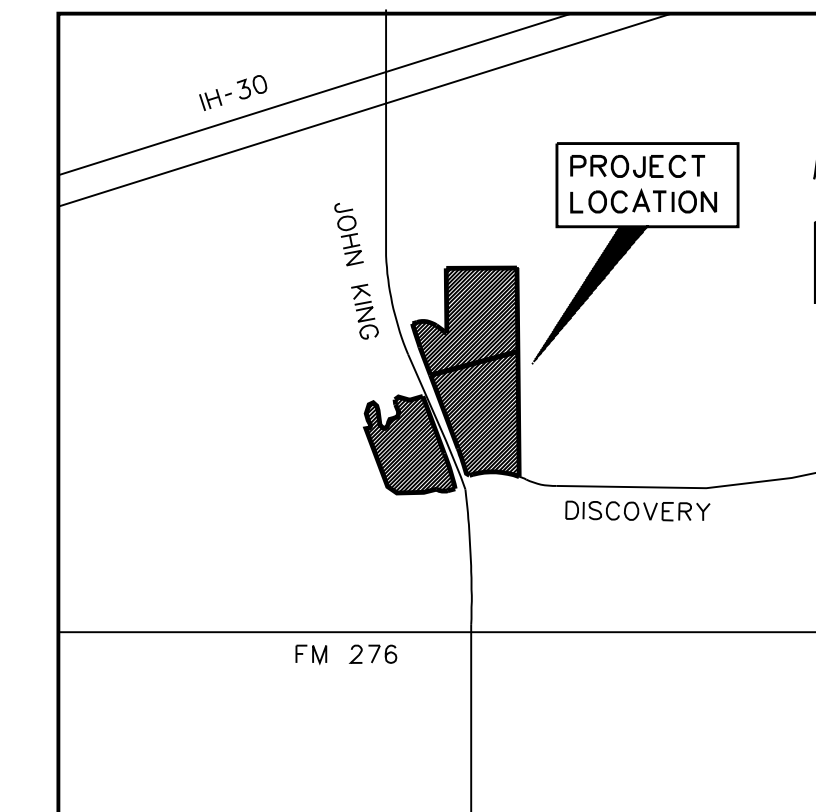
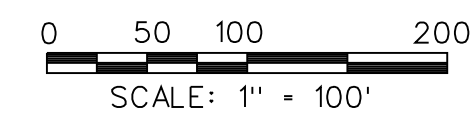
LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	S 82° 08' 01" W	28.88'
2.	N 45° 38' 11" E	13.91'
3.	N 02° 44' 36" E	13.31'
4.	N 25° 58' 17" W	42.88'
5.	N 15° 43' 07" W	58.28'
6.	N 16° 52' 17" E	73.78'
7.	N 65° 36' 29" E	39.28'
8.	S 47° 03' 26" E	39.28'
9.	S 18° 00' 52" E	35.57'
10.	S 06° 59' 49" E	122.44'
11.	S 46° 09' 07" E	29.88'
12.	S 76° 08' 29" E	20.02'
13.	N 55° 23' 58" E	20.02'
14.	N 23° 59' 08" E	76.52'
15.	N 03° 31' 06" E	14.58'
16.	N 25° 04' 52" E	25.43'
17.	N 76° 56' 24" E	30.42'
18.	N 67° 31' 04" E	37.25'
19.	N 14° 38' 54" E	37.25'
20.	N 23° 28' 03" W	67.39'
21.	N 04° 00' 39" W	43.03'
22.	N 53° 49' 58" E	34.08'
23.	S 73° 58' 24" E	93.78'
24.	N 73° 56' 42" E	111.22'
25.	S 75° 33' 00" W	26.84'
26.	N 60° 02' 18" W	29.29'

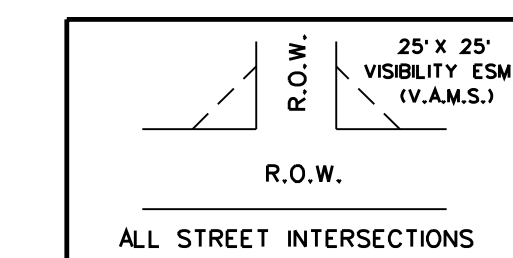
CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	04° 47' 55"	2560.00'	214.70'	107.26'	214.34'	N18° 15' 34" W
2.	07° 02' 50"	2440.00'	299.40'	149.89'	299.22'	S17° 08' 36" E

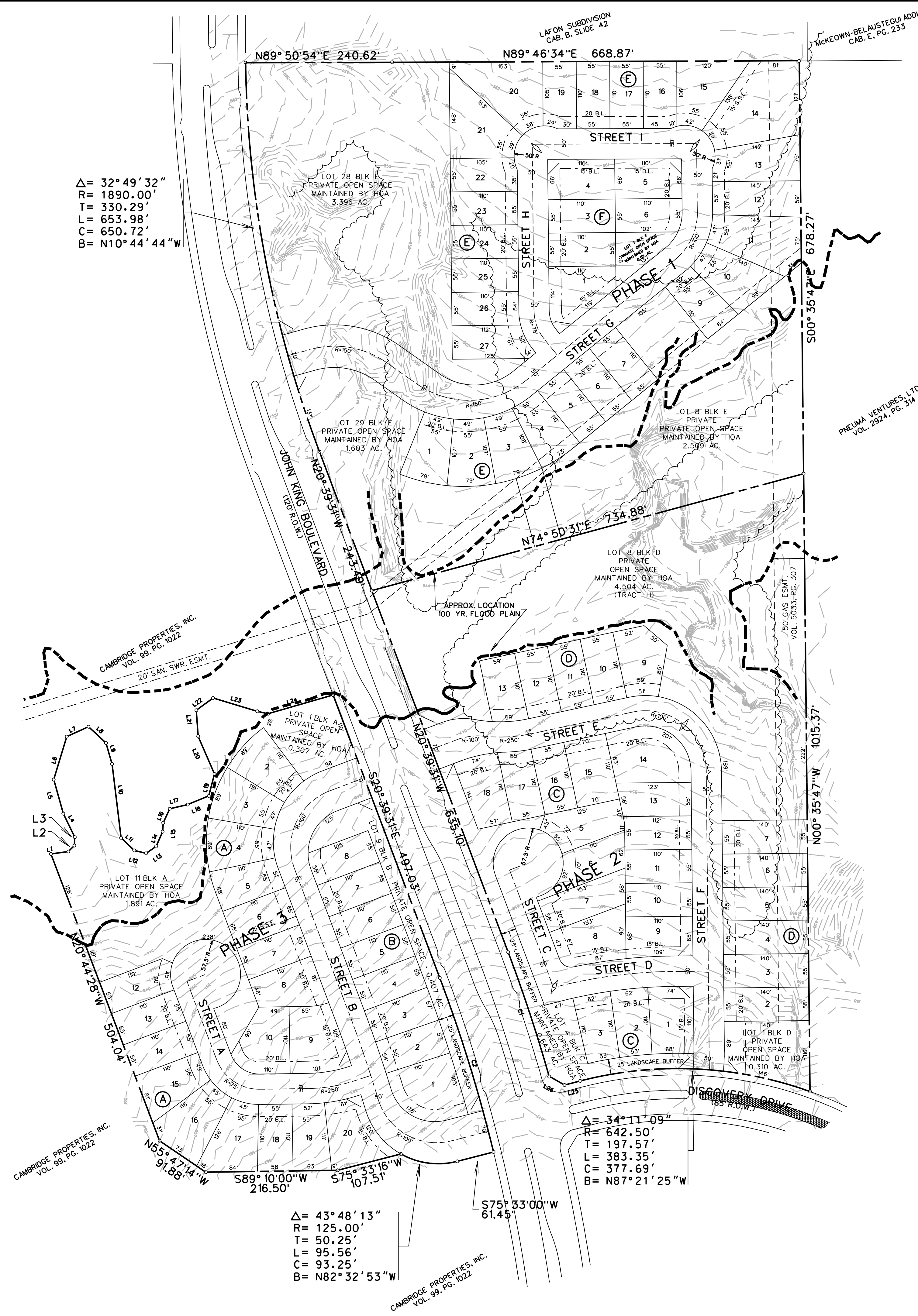
$\Delta = 32^\circ 49' 32''$
 $R = 1890.00'$
 $T = 330.29'$
 $L = 653.98'$
 $C = 650.72'$
 $B = N10^\circ 44' 44'' W$



LOCATION MAP
N.T.S.



VISIBILITY & SIDEWALK EASEMENT DETAIL
N.T.S.



Reviewed for preliminary Approval:

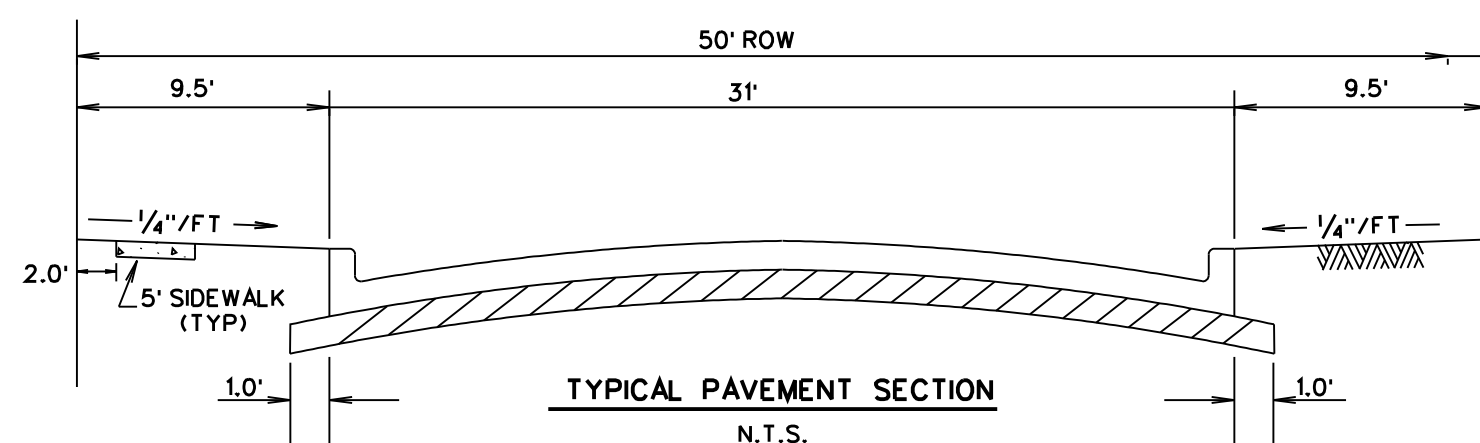
Planning & Zoning Commission Chairman

Date _____

Approved for Preparation of Final Plat:

Mayor, City of Rockwall

Date _____



$\Delta = 43^\circ 48' 13''$
 $R = 125.00'$
 $T = 50.25'$
 $L = 95.56'$
 $C = 93.25'$
 $B = N82^\circ 32' 53'' W$

$\Delta = 34^\circ 11' 09''$
 $R = 642.50'$
 $T = 197.57'$
 $L = 383.35'$
 $C = 377.69'$
 $B = N87^\circ 21' 25'' W$

Zoning: PD-10
 DEVELOPED: DETACHED SINGLE FAMILY
 209 TRACTS G, H & I

PRELIMINARY PLAT
 OF
ROCKWALL DOWNS
 PHASES 1, 2 & 3

86 LOTS, BEING 35.651 ACRES
 SITUATED IN THE
 J.M ALLEN SURVEY, ABSTRACT NO. 2
 IN THE
 CITY OF ROCKWALL
 ROCKWALL COUNTY, TEXAS

OWNER
CAMBRIDGE COMPANY, INC.
 8235 DOUGLAS AVE., SUITE 650
 DALLAS, TEXAS 75225
 214-691-2556

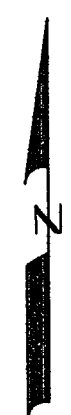
PREPARED BY
CORWIN ENGINEERING, INC.
 200 W. BELMONT, SUITE E
 ALLEN, TEXAS 75013
 972-396-1200

TOTAL LOTS 86
 TOTAL ACRES 35.651

OCTOBER 2013 SCALE 1" = 100'
 CASE #P2013-035






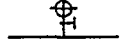

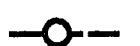


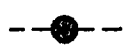

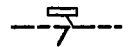
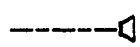
LAFON SUBDIVISION
CAB. B, SLIDE 42

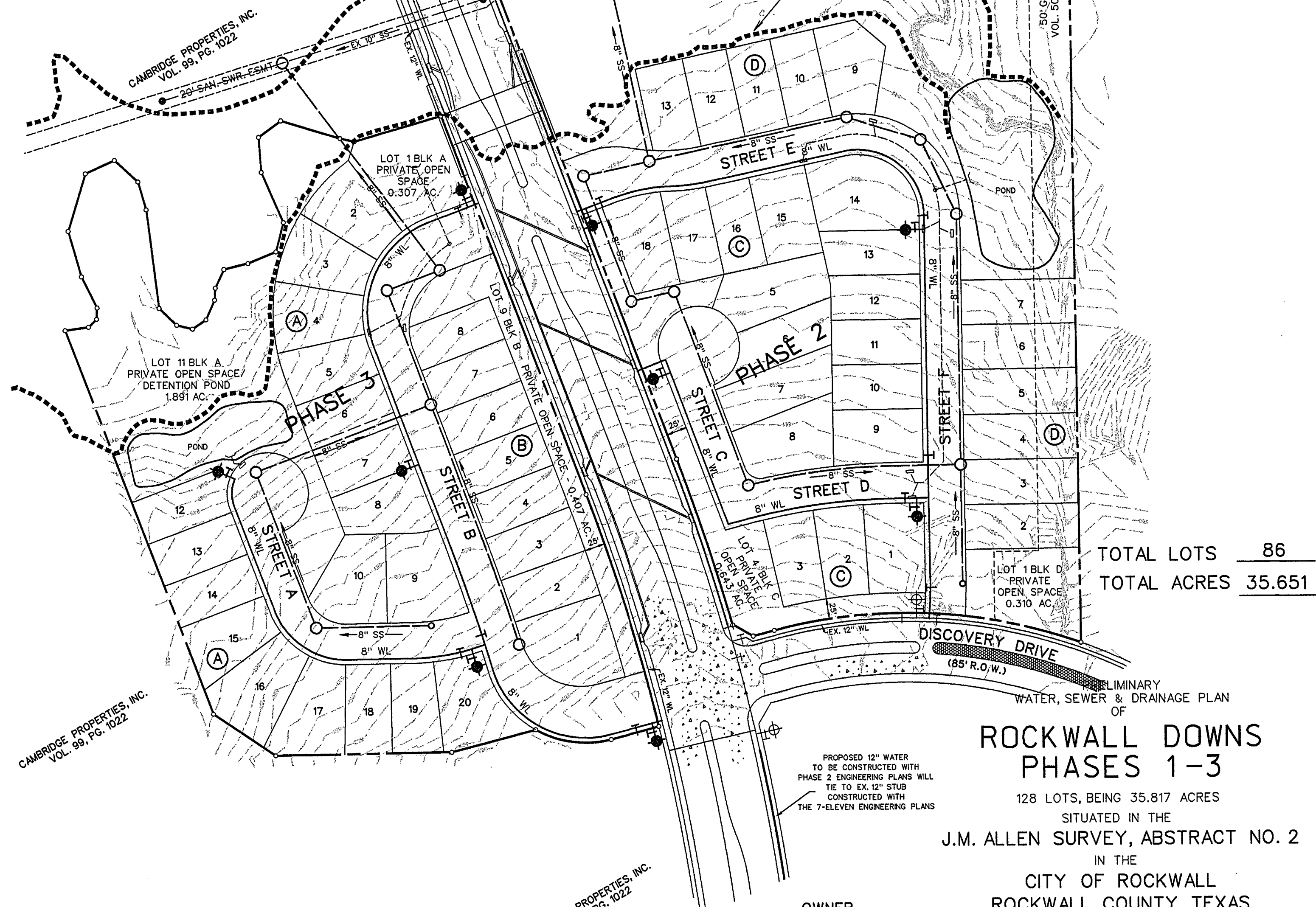
McKEOWN-BELAUSTEGUI ADDITION
CAB. E, PG. 233



0 50 100 200
SCALE: 1" = 100'

LEGEND

-  PROP. WATER LINE
-  PROP. FIRE HYDRANT AND VALVE
-  PROP. GATE VALVE
-  PROP. FLUSH VALVE
-  EXIST. WATER LINE
-  EXIST. FIRE HYDRANT AND VALVE
-  PROP. SANITARY SEWER
-  PROP. MANHOLE
-  PROP. CLEANOUT
-  EXIST. SANITARY SEWER
-  EXIST. MANHOLE
-  PROP. STORM SEWER
-  PROP. CURB INLETS
-  PROP. CONC. HEADWALL



PNEUMA VENTURES, LTD.
VOL. 2924, PG. 314

50' GAS ESMT.
VOL. 5033, PG. 307

CAMBRIDGE PROPERTIES, INC.
VOL. 99, PG. 1022

LOT 1 BLK A
PRIVATE OPEN SPACE
0.307 AC.

LOT 11 BLK A
PRIVATE OPEN SPACE/
DETENTION POND
1.891 AC.

LOT 9 BLK B
PRIVATE OPEN SPACE -
0.407 AC.

LOT 8 BLK D
PRIVATE
OPEN SPACE/DETENTION POND
4.504 AC.

LOT 7 BLK F
PRIVATE
OPEN SPACE
0.117 AC.

LOT 28 BLK E
PRIVATE OPEN SPACE
3.396 AC.

TOTAL LOTS 86
TOTAL ACRES 35.651

ROCKWALL DOWNS PHASES 1-3

128 LOTS, BEING 35.817 ACRES
SITUATED IN THE
J.M. ALLEN SURVEY, ABSTRACT NO. 2

IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
CAMBRIDGE COMPANY, INC.
8235 DOUGLAS AVE., SUITE 650
DALLAS, TEXAS 75225
214-691-2556

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

OCTOBER 2013 SCALE 1" = 100'
CASE #P2013-XXX

CAMBRIDGE PROPERTIES, INC.
VOL. 99, PG. 1022

CAMBRIDGE PROPERTIES, INC.
VOL. 99, PG. 1022

PROPOSED 12" WATER
TO BE CONSTRUCTED WITH
PHASE 2 ENGINEERING PLANS WILL
TIE TO EX. 12" STUB
CONSTRUCTED WITH
THE 7-ELEVEN ENGINEERING PLANS

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager
FROM: Mark Moeller, Chief of Police
DATE: November 13, 2013
SUBJECT: Renewal of the Curfew Ordinance

On December 6, 2010, our City Council adopted the update to our curfew ordinance. The Texas Local Government Code, Section 370.002, requires review and public hearings of the curfew ordinance every three years from the date of passage before it can be re-adopted.

Our ordinance grants a great deal of latitude to our younger teens during late night hours for legitimate adult supervised purposes regarding family, church, employment, or school activities. It also helps deter juveniles from engaging in possible criminal activity or becoming a victim of a crime.

Although our police officers have issued a number of citations to enforce this ordinance, the majority of these contacts have been resolved by releasing the child to a parent or guardian without a citation. This is done as a means of education and to gain voluntary compliance in the future.

I believe this curfew ordinance is fair to all parties and has assisted in providing a safer environment for our younger teens. I recommend that this ordinance be re-adopted by the City Council.

Staff has sent notice of a Dec. 2 public hearing date to our newspaper of record (Rockwall County News) for publication on Thurs., 11/21. Should council approve the ordinance for 1st reading on Nov. 18, our city attorney has advised that the public hearing and 2nd reading of the ordinance may both be held on the same evening (Dec. 2).

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF ROCKWALL CONTINUING WITH CURFEW FOR MINORS UNDER SEVENTEEN YEARS OF AGE PER CHAPTER 22, ARTICLE II, DIVISION 4, SECTIONS 22-99 THROUGH 22-103 OF THE CODE OF ORDINANCES; ENTITLED TRIENNIAL REVIEW; PROVIDING FOR ENFORCEMENT; ESTABLISHING CRIMINAL PENALTIES; AND SETTING AN EFFECTIVE DATE

WHEREAS, persons under the age of seventeen are particularly susceptible by their lack of maturity and experience to participate in unlawful and gang-related activities and to be victims of older perpetrators of crime; and

WHEREAS, the City of Rockwall has and continues to provide for the protection of minors from each other and from other persons, for the enforcement of parental control of and responsibility for their children, for the protection of the general public, and for the reduction of the incidence of juvenile criminal activities; and

WHEREAS, the City of Rockwall adopted Ordinance 10-33 on December 6, 2010 for the purpose to deter criminal conduct involving juveniles; reduce the number of juvenile crime victims and reduce accidents involving juveniles; provide additional and more effective means and options for dealing with gang related violence and crime; reduce juvenile peer pressure to participate in violent or criminal activities; assist parents in the control of their children; and to make the City a better community and a safer place to live and work, to raise a family; and

WHEREAS, it is believed that the continuation of the current curfew ordinance for minors under seventeen years of age is in the interest of the public health, safety, and general welfare, and will help to attain the foregoing objectives and to diminish the undesirable impact of such conduct on the citizens of the City of Rockwall; and

WHEREAS, Texas Local Government Code Section 370.002 requires review of the curfew ordinance and to conduct a public hearing to be held before readopting it the renewal of the Curfew Ordinance; and

WHEREAS, after receiving the report of the Chief of Police for the City, and conducting a Public Hearing, the City Council has determined there is a continuing need to keep the curfew ordinance in place as modified in the manner provided by law;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1: City of Rockwall Code of Ordinances, Chapter 22, Sections 22-99 through 22-103, is hereby renewed for an additional three year period and expiring December 31, 2016.

Section 2. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code and the City Charter.

Section 3. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not effect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 11-18-13

2nd Reading: 12-02-13

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Rick Crowley, City Manager

DATE: November 15, 2013

RE: Update from City Council Airport Subcommittee

Members of the Airport Subcommittee (Mayor Pro Tem White, Councilmember Pruitt and Councilmember Townsend), along with staff, will be providing a verbal update to the full council at the Monday, November 18 city council meeting regarding the work of the Airport Advisory Committee.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Kristy Ashberry, City Secretary/Assistant to the City Manager

DATE: November 15, 2013

RE: Resolution re: Municipal flag being flown at half staff

Mayor Sweet has requested this agenda item be placed on the city council agenda for consideration.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 13-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AUTHORIZING THE MAYOR OF THE CITY OF ROCKWALL TO ORDER THAT THE CITY OF ROCKWALL MUNICIPAL FLAG BE FLOWN AT HALF STAFF AT CITY FACILITIES; PROVIDING THE CIRCUMSTANCES FOR SUCH ORDER BY THE MAYOR; PROVIDING AN EFFECTIVE DATE.

WHEREAS, elected Mayors and Council Members have and continue to tirelessly serve the City of Rockwall and its residents; and

WHEREAS, the service of each such elected Mayor and Council member contributes greatly to the success of the City of Rockwall and all residents and businesses within the City; and

WHEREAS, upon the death of current or formerly elected Mayors or City Council members of the City of Rockwall, the City wishes to honor the service of said officials; and

WHEREAS, the lowering of the City of Rockwall municipal flag flown at various City buildings would be a fitting symbol of respect for said service; and,

WHEREAS, the lowering of said flag may also be fitting in commemoration of certain other events at the discretion of the Mayor of the City of Rockwall.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That upon the death of a current or formerly elected Mayor or Council member of the City of Rockwall, the Mayor of the City of Rockwall shall direct and order the lowering of the City of Rockwall municipal flag to half staff; and

SECTION 2. That upon certain other occasions which may warrant commemoration by the lowering of the same flag to half staff, the Mayor of the City of Rockwall municipal flag to half staff may be ordered and directed by the Mayor.

SECTION 3. That this resolution shall take effect immediately after its passage and approval and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS THE 18th DAY OF NOVEMBER, 2013.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council

FROM: Bennie Daniels, Council Member

DATE: November 15, 2013

SUBJECT: Agenda item – Neighborhood Improvement Services Assistance to Resident

You may recall that a Rockwall resident addressed the City Council at the last meeting regarding property maintenance concerns related to her apartment that had not been addressed by the landlord. The resident indicated that she had discussed the problems with a City Staff member who had indicated that the City could not be of assistance in addressing the issues with the property owner.

Based on subsequent conversations, we now know that the resident apparently misinterpreted the conversation with the Neighborhood Improvement Services Department representative with whom she spoke. In fact, the representative did indicate the City would likely be able to assist with the problems that she was reporting. This misinterpretation may have left those who heard the matter presented at the meeting with an impression that both the City staff and the employee were unable or unwilling to be of assistance to a resident.

Since the discussion of this matter was at a Council meeting, I have asked the staff to report on the status of resolving these resident concerns at the November 18 City Council meeting in order to reinforce the fact that the City staff is willing to assist residents with property maintenance concerns.

Griggs, Brad

From: Widmer, Jeffrey
Sent: Tuesday, November 05, 2013 1:54 PM
To: Griggs, Brad
Subject: Resident that spoke in open forum yesterday evening

Brad, I wanted to let you know what really transpired between one of my staff members and Alice Bland, when she came to City Hall yesterday.

When I heard her tell the Council that she met with a City Rep. and was told that the City has no regulations regarding apartment complexes, my immediate thoughts were, who did she speak to? Of course, her next statement was "I want to know who I can appeal to"? I could understand that question, if staff had told her there was nothing we could do to help her, however, that was not the case.

When I got to the office this morning, I started asking my staff if they had met with her. Cliff told me that he had talked with her at the counter, that he got her name and number and told her he wanted to come out today to perform an inspection and take a look at the items she is concerned about. He told her that he needed to check on John Shannon's schedule and that he would call her this morning to determine an appropriate time to meet with her.

When I shared with Cliff, that she told the Council that the individual she spoke to stated that we do not have regulations that apply to apartment complexes, Cliff got this very surprised look on his face and told me that was not accurate. I asked Cliff what she had complained about and asked him to tell me what he committed to her. He said that he told her our Property Maintenance Code would allow us to address issues with the sidewalks if they contain unsafe conditions. He told her that if her patio is retaining standing water, we could notify the complex management to take action to correct that as well. She told him that water is entering her unit through her patio door and Cliff said he told her that we could address that also.

I do not know why she misrepresented what took place between herself and Cliff, but I believe that Cliff handled the situation very well and made it clear to her that he was committed to take action on her behalf.

Cliff and John are scheduled to meet her at her unit this afternoon. I will follow up with them to make sure we do what we can to assist her.



City of Rockwall
The New Horizon

MEMORANDUM

TO: Brad Griggs, Assistant City Manager

FROM: Jeffrey Widmer, Building Official

DATE: 11-15-2013

SUBJECT: Resident who addressed the Council regarding Pebblebrook Apartments

Per your request, I'm providing you with an update on the actions staff has taken to respond to a residents concerns pertaining to her apartment unit and complex. As you recall, Ms. Alice Bland spoke to City Council at their November 4th meeting, stating that she had spoken to someone at City Hall that day, and that she was told the City had no regulations pertaining to apartment complexes.

During her visit to City Hall Ms. Bland had spoken to our Neighborhood Improvement Services Supervisor Cliff Griffin, who actually told her he would plan to meet her at her unit the following day to perform an inspection of the items she was concerned about. Cliff also informed Ms. Bland about our adopted property maintenance code and that he believed we could use it to address her concerns.

Cliff met Ms. Bland at her unit the following day to perform the inspection. Following the inspection, Cliff told Ms. Bland that he would contact the apartment complex management, provide them a code violation notice and ask them to take action to make the necessary repairs to her unit to abate any existing code violations. The code issues at her unit were improper drainage of her patio, which was holding water and her front door was sticking, difficult to open and had a gap up at the top. Because Ms. Bland expressed concerns with what she believed are trip hazards on the sidewalks and parking areas, Cliff committed to inspecting those areas as well. Cliff told Ms. Bland that our property maintenance would allow us to address any hazardous conditions such as trip hazards. During the exterior grounds inspection, Cliff did observe a few trip hazards on the sidewalks within the complex and a couple of sizable cracks within the parking lot area.

Once the violation notice was prepared, staff had a meeting with the apartment manager, delivered the notice and asked the management to take action to bring Ms. Bland's unit and the sidewalk/parking trip hazards into compliance. Staff informed the management that we would perform a follow up inspection on November 25th to check the status of these areas. The management was very cooperative and stated that they intended to take action immediately. They said they would start with the repairs on Ms. Bland's unit. On the same day, Cliff followed up with Ms. Bland to inform her on our action plan and that the management was going to begin the repair work.

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**CITY OF ROCKWALL, TEXAS
FIRE DEPARTMENT
MEMORANDUM**



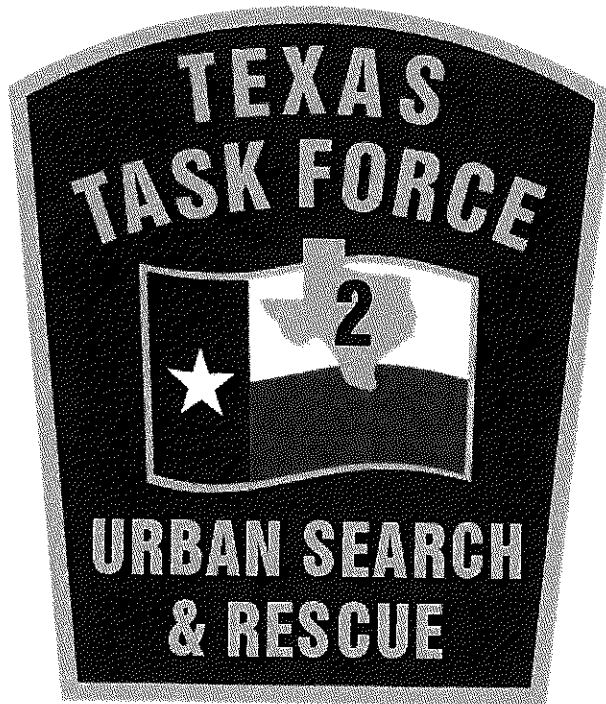
DATE: November 12, 2013
TO: Mayor & City Council Members
FROM: Mark Poindexter, Fire Chief
SUBJECT: Texas Task Force 2 Memorandum of Agreement

Attached is a Memorandum of Agreement between the City of Dallas and the City of Rockwall. The Rockwall Fire Department has been working with Dallas Fire-Rescue Department to become part of Dallas Region of Texas Task Force 2 (TTF2) Urban Search & Rescue Task Force. The City of Dallas is the sponsoring lead agency of the group. The City of Rockwall would be a participating agency. This agreement would allow special trained members of the Rockwall Fire Department to become members of the elite task force group. The agreement also would make the Fire Chief a voting advisor on the Regional Board. At this time, only fourteen (14) Cities within the Dallas/Ft Worth area have been able to achieve the goals to become members of Task Force 2. With the City of Rockwall Fire Department being part of this group, this would open the doors to valuable training and better prepare us for large scale disasters. It would also allow us to work with the other 14 agencies within the metroplex which would open many doors to outside resources, if we ever needed to call on them. If members of this department are deployed to any location within the State of Texas or outside the State, the City of Dallas would be covering all costs associated with the deployment. This cost covers the salary and benefits of the deployed member, as well as covering the cost to back fill that person's position within our City.

Just as reference, this agreement is very similar to the agreement we entered into with Texas Intrastate Fire Mutual Aid System (TIFMAS) back in 2010. The main difference between TTF2 & TIFMAS deployments is that TIFMAS takes somewhere between six to nine months to receive reimbursement from the State of Texas and with TTF2 the City of Dallas will reimburse the City of Rockwall within 60 days.

Request:

The Fire Department is requesting the City Council to approve the attached Memorandum of Agreement between City of Rockwall and City of Dallas so that the Rockwall Fire Department can be a member in Texas Task Force 2. As part of the approval, the City Council would also be authorizing the Mayor or City Manager and the City Attorney to execute the said agreement. Your consideration of this matter is greatly appreciated. I am available to answer any questions you may have in reference to this agreement.



TEXAS TASK FORCE 2

MEMORANDUM OF AGREEMENT

BETWEEN

CITY OF DALLAS, TEXAS

AND

CITY OF ROCKWALL, TEXAS



**Memorandum of Agreement
Between
The City of Dallas, Dallas Fire-Rescue Department
The Sponsoring Agency of The
Dallas Regional Urban Search & Rescue Task Force (Texas Task Force 2)
And
Texas Task Force 2 Member
And
The Participating Agency / Employer**

This "Agreement" is entered into this ____ day of _____, 20__ by and between the parties designated in Section 1, below, who agree that subject to all of the provisions of this Agreement, the Members named in Section 1.3 of City of Rockwall, Texas (Participating Agency) will serve as a Task Force Member for the Dallas Regional Urban Search & Rescue Task Force (Texas Task Force 2). Each party further agrees that it assumes all of the duties and responsibilities assigned to that party under this Agreement and that so long as this Agreement remains in effect, the party will fully perform all of those duties and responsibilities.

1. PARTIES

The parties to this Agreement are the following entities:

1.1. Sponsoring Agency:

City of Dallas/Dallas Fire-Rescue Department 1500 Marilla, 7AS City Hall Dallas, TX 75201

1.2. Participating Agency:

City of Rockwall, Texas

1.3. Participating Member:

Participating Member:

Participating Member:

Participating Member:

Participating Member:

Participating Member:

2. RECITALS

Sponsoring Agency and Participating Agency and Participating Member have entered into this Agreement in recognition of the following Recitals:

2.1 Task Forces. The Sponsoring Agency is responsible for recruiting and organizing a Task Force consisting of individuals occupying certain specified positions plus additional support personnel, all of whom have been properly trained with the requisite skills and capabilities required for urban search and rescue operations and/or deployment of the Task Force. A Task Force may be deployed as a single unit or it may be reorganized into teams for purposes of modularized responses for limited or specialized Activations. Members of a Task Force may also be deployed as members of a management or other technical team.

2.2 Texas Task Force 2. The City of Dallas/Dallas Fire-Rescue Department is the Sponsoring Agency for Texas Task Force 2 (the "Task Force") and is charged with, among other things, recruiting and organizing members for the Task Force. In the performance of its responsibilities, the Sponsoring Agency may enter into cooperative arrangements with federal, state, or local government entities, or non-profit or for-profit entities, to serve as Participating Agencies in the Task Force and with individuals to serve as Affiliated Personnel of the Task Force. The Sponsoring Agency is obligated to enter into written agreements with those Participating Agencies and Affiliated Personnel setting forth the relationship between the parties. Furthermore, Texas Task Force 2 may be activated upon the request of any local, state, or federal agency or jurisdiction. Hence, the Task Force is considered both a Regional, and State of Texas asset.

2.3 Participating Agency. City of Rockwall, Texas desires to be a Participating Agency in the Task Force, subject to all of the provisions of this Agreement.

2.4 Participating Member. Those named in Section 1.3 above desire to be a Participating Member in the Task Force, subject to all provisions of the Agreement.

2.5 Definitions of Terms.

- A) Activation: the process of mobilizing TX-TF2 members to deploy to a designated disaster site. When the Task Force responds to such a mobilization request, the member is required to arrive with all equipment and personal gear to the designated Point of Departure (POD) within two hours and thirty minutes of activation notice. The time at which the Task Force member receives a request for activation and accepts the mission will be considered the time at which personnel costs to be charged to Task Force activities shall begin. For

activations involving pre-deployment of members in anticipation of an event, the time at which personnel costs to be charged to Task Force activities shall be determined by the Director of TX-TF2 and/or his designee.

- B) Alert: the process of informing Task Force members that an event has occurred and that TX-TF2 may be activated at some point within the next 24-48 hours.
- C) De-Activation: The process of de-mobilizing Texas Task Force 2 (TX-TF2) members upon notification from the State or DHS/FEMA to stand down.
- D) Director: the Program Director of the Task Force from the Sponsoring Agency.
- E) Disaster Assistance Employee (DAE): a temporary employee, hired under the provisions of the Robert T. Stafford Disaster Relief Act to assist with the activation, movement and deactivation of the Task Force.
- F) DHS/FEMA: the Department of Homeland Security/Federal Emergency Management Agency
- G) GDEM: State of Texas Governor's Division of Emergency Management
- H) Member: An individual who has been formally accepted into Texas Task Force 2, meeting all requirements for skills and knowledge, and is in good standing with regard to compliance of necessary training and fitness.
- I) National Disaster Medical System (NDMS): a cooperative effort of the Department of Health and Human Services (HHS), Department of Defense (DOD), Department of Veterans Affairs (DVA), state and local governments and the private sector entities designed to care for a large number of casualties resulting from a domestic disaster. The Public Health Service (PHS) is responsible for this program
- J) Participating Agency/Employer: the Task Force member's employer, which by execution of this MOA, has provided official sanction of Texas Task Force 2 (TX-TF2) and supports the members' involvement within TX-TF2.
- K) Participating Member: (Also referred to as Participant in this document, and by FEMA as Affiliated Personnel), is defined as "individuals not normally employed by a Sponsoring Agency or Participating Agency and individuals normally affiliated with a Sponsoring Agency or Participating Agency as volunteers."
- L) Point of Departure (POD): Designated location where a task force reports for transport to an incident.
- M) Sponsoring Agency: entity providing resources and administrative oversight to TX-TF2 Urban Search and Rescue Task Force.
- N) State: for the purpose of this MOA, the State of Texas through the Governor's Division of Emergency Management (GDEM).
- O) Task Force/Strike Team: an integrated collection of personnel and equipment meeting standardized capability criteria for addressing search and rescue needs during disasters.
- P) Task Force Sponsored Training: training and/or exercises performed at the direction, control and funding of GDEM or TX-TF2.
- Q) Task Force Sanctioned Training: training and/or exercises performed at the direction, control and funding of a participating agency or Task Force member in order to develop and maintain the US&R capabilities of the member and the Task Force. Task Force sanctioned training shall be coordinated with TX-TF2 staff and receive written authorization to conduct such training prior to the start of the training.
- R) Urban Search and Rescue (US&R): specialized tactics, personnel and equipment suited to the unique search, rescue or recovery problems associated with natural or man-made disasters.

3. AGREED TERMS AND CONDITIONS

3.1 Participating Agency.

3.1.1 Participating Agency agrees to provide personnel to serve in certain designated positions on the Task Force as determined by Sponsoring Agency. A list of the individuals who will occupy those designated positions, and who are referred to in this Agreement as "Participants," as well as other pertinent information about them is contained in Appendix "A". Participating Agency shall reserve the right to refuse a mission based on the needs of the agency and the availability of personnel at the time the request is received.

3.1.2 Participating Agency further agrees that Participants will meet the required qualifications for the positions to be filled and will satisfy other conditions of preparedness and response as required by the Sponsoring Agency.

3.1.3 The Parties will cooperate with each other so as to facilitate achievement of the goals and objectives of the System as fully and completely as possible.

3.2 Participating Member

3.2.1 A Participating Member agrees that he/she will meet/maintain the required qualifications for the position to be filled and will satisfy other conditions of preparedness and response as required by the Sponsoring Agency.

3.3 Third Party Liability and Workers' Compensation.

3.3.1 Participating Agency and its Participants, and Participating Members shall be afforded such coverage for third party liability and workers' compensation as is afforded all Task Forces and their System Members under State law pursuant to State ordered deployment or State mandated training.

3.3.2 Except as afforded by the State of Texas, the responsibility for risks associated with claims for third party liability and workers' compensation arising out of participation in the Task Force, either organizationally by the Participating Agency or individually by its Participants or individually by a Participating Member, shall be the responsibility of Participating Agency or Participating Member, and not under any circumstances, the responsibility of Sponsoring Agency. At all times, Participating Agency shall maintain in full force and effect, and provided proof thereof, for the benefit of its Participants and its other employees engaged in System activities, coverage for workers compensation and third party liability to the full extent required by law.

3.4 Financial Provisions.

3.4.1 Preparedness Funds

3.4.1.1 In its sole discretion, Sponsoring Agency may distribute to Participating Agency such preparedness grant funding as Sponsoring Agency shall be eligible to and does receive from the State or FEMA. Any such distributions shall be subject to the requirements of the preparedness grants and the needs of the Task Force generally.

3.4.1.2 Any other funding received by Sponsoring Agency from sources other than the State of Texas or federal government may also be made available as Sponsoring Agency determines in its discretion. Sponsoring Agency shall make such distributions fairly and equitably taking into account the mission, goals and objectives of the Task Force and the needs of the Sponsoring Agency as compared to other proper needs and demands.

3.4.2 Response Funds

3.4.2.1 Sponsoring Agency shall promptly reimburse Participating Agency for response expenses that are authorized to be incurred by or for the benefit of Participants engaged in Task Force activities. Such expenses must be properly ascertained, accumulated and reported to the Sponsoring Agency.

3.4.2.2 After an Activation, Participating Agency shall provide Sponsoring Agency with a complete cost reimbursement package to be submitted by Sponsoring Agency as part of an overall claim package which Sponsoring Agency is obliged to submit to the State or FEMA. The Participating Agency cost reimbursement package shall be submitted to the Sponsoring Agency within 30 days after the end of the Personnel Rehabilitation Period established in the demobilization order. Participating Agency's cost reimbursement package shall be prepared in conformance with applicable state and federal directives which Sponsoring Agency shall disseminate to Participating Agency.

3.4.2.3 Participating Agency shall provide Sponsoring Agency with employee compensation information for its Participants at least annually, or as changes occur in compensation rates payable to Participants. That information and other pertinent Participant data required by Sponsoring Agency shall be provided in an updated version of Appendix "B" and is a requirement addressed in Appendix "C".

3.4.2.4 To ensure proper reimbursement, the compensation of Participants on the Task Force shall be in accordance with pay schedules and policies established by Appendix "B", from the time of activation and until the Task Force returns and is deactivated.

3.4.2.5 All financial commitments of Sponsoring Agency are subject to the availability and receipt of funds by Sponsoring Agency from the State of Texas or FEMA and other sources.

3.4.2.6 Neither Participating Agency nor any Participant shall be reimbursed for costs incurred outside the scope of this Agreement.

3.5 Reporting And Record Keeping Requirements.

3.5.1 The Participating Agency shall provide the Sponsoring Agency with the records described in Appendix "C".

3.5.2 The Sponsoring Agency shall issue a Task Force Picture Identification Card for all individuals listed in Appendix A [see Section 3.1].

3.5.3 Participating Agency shall ensure that any medical or other records and information that are afforded confidentiality under applicable law are protected from unauthorized disclosure.

3.5.4 Participating Agency shall provide prompt and accurate reporting as specified in this Agreement.

3.6 Mandatory Minimum Requirements For Participation. Each Participant must satisfy all of the following for participation on the Task Force.

3.6.1 Each Participant employed by a Participating Agency shall be an employee in good standing of the Participating Agency. *Entry-level employees who are probationary or in a similar status are not eligible.*

3.6.2 Each Participant shall be of good moral character and shall not have been convicted of any felony or any other criminal offense involving moral turpitude.

3.6.3 Participants serving in a Task Force position that requires the individual to hold a license, registration, certificate or other similar authorization to lawfully engage in an activity must hold the appropriate authorization, which must be current and validly issued.

3.6.4 Subject to any applicable State or FEMA standards, each Participant must meet the medical/fitness standards mutually agreed upon by Sponsoring Agency and Participating Agency and not have any medical condition or disability that will prevent performance of the duties of the Task Force position he/she occupies.

3.6.5 Each Participant must be available on short notice to mobilize within 2 hours and 30 minutes of request and be able to respond on a mission for up to 14 days.

3.6.6 Each Participant must be capable of improvising and functioning for long hours under adverse working conditions.

3.6.7 Each Participant must receive such inoculations as are specified by the Sponsoring Agency.

3.6.8 Each Participant must be aware of the signs, symptoms and corrective measures of Critical Incident Stress Syndrome.

3.6.9 Each Participant must understand and adhere to safe working practices and procedures as required in the urban disaster environment.

3.6.10 Each Participant must have a working knowledge of the US&R System and the Task Force's organizational structure, operating procedures, safety practices, terminology and communication protocols.

3.6.11 Each Participant must have completed such courses of education and training and other requirements as the Sponsoring Agency shall specify.

3.6.12 Sponsoring Agency has authority to immediately suspend or terminate a Participant's participation on the Task Force for failure to satisfy any mandatory requirement.

3.7 Clothing and Equipment.

3.7.1 Prior to the execution of this Agreement, the Sponsoring Agency and Participating Agency, will determine the issuance of personal protective clothing and equipment for use in Task Force activities and operations. In the event of Activation, Participant shall provide certain additional items of personal clothing and equipment. All these matters are detailed specifically in Appendix "D". Items of clothing and equipment supplied by Sponsoring Agency shall remain the property of Sponsoring Agency and shall be returned promptly whenever a person ceases to be a Participant.

3.7.2 Subject to TX-TF2 requirements, all uniforms will display the official patch of the Task Force and the official patch of the Participating Agency, as specified by the Sponsoring Agency. The Sponsoring Agency shall specify the design of the uniform and any identifying insignia or markings.

3.8 Command, Control and Coordination.

3.8.1 When a Participant has been Activated or has otherwise been placed at the direction, control and funding of the State or FEMA, such as, for example, during participation in State sponsored training, the ultimate authority for command, control and coordination of the service of the Participant reposes with TX-TF2 exercised through the system chain of command. Subject to the principle just stated, the following provisions of this Section 3.8 govern the responsibilities of the parties with respect to supervisory, disciplinary and other specified aspects of the Participant's employment within the context of his/her participation on the Task Force

3.8.2 Sponsoring Agency shall exercise direct supervisory authority over Participants during Activations, deployments and other activities of the Task Force conducted by Sponsoring Agency, but for disciplinary purposes, that authority is limited to temporary suspension or permanent exclusion from participation. In all other instances where disciplinary action may be necessary, Sponsoring Agency shall report the pertinent circumstances to Participating Agency, which shall cooperate with Sponsoring Agency and shall administer discipline as appropriate in accordance with the Participating Agency's established rules and regulations.

3.8.3 Nothing in this Agreement is intended to, nor does it, affect the employer-employee relationship between Participating Agency and its employees who are Participants, and Participating Agency shall at all times continue to be fully responsible for all of its employment obligations to its employee Participants, including the compensation and benefits that the Participating Agency has agreed to provide.

3.8.4 While participating in System activities conducted by the Task Force, Participants shall be subject to and observe and comply with all lawful orders and directions of the authorized representatives of Sponsoring Agency and the Task Force. Sponsoring Agency retains the right to suspend or exclude any Participant from participation on the Task Force for cause including failure to abide by the provisions of this Agreement.

3.9 Media and Information Policy.

3.9.1 Subject to applicable law, including State regulations and directives, all photographs and video taken during a deployment will be kept under the control of Sponsoring Agency until use in internal or external education programs or other dissemination is approved by the State.

3.9.2 All applicable federal, state, and local media policies will be strictly enforced and followed.

3.9.3 Subject to applicable rules and regulations, Sponsoring Agency will have the primary responsibility for coordination of media coverage and liaison with media sources and representatives concerning activities of the Task Force. Sponsoring Agency shall endeavor to expose all Participating Agencies and Participating Members to favorable media coverage opportunities.

3.10 Rules of Conduct.

3.10.1 All Participants will be expected to abide by the rules of conduct established by the Sponsoring Agency.

3.10.2 The failure of a Participant to abide by the rules of conduct constitutes may result in suspension or exclusion from the Task Force under Section 3.8 above.

3.11 Preparedness Activities.

3.11.1 Sponsoring Agency shall conduct Task Force management, administration, training, equipment procurement and other preparedness activities required by the State. Participating Agency and its Participants shall cooperate with Sponsoring Agency and shall participate in the activities as necessary to achieve Task Force preparedness goals and objectives.

3.11.2 Specific training activities to be conducted, respectively, by Sponsoring Agency and by Participating Agency including training, administration and reporting requirements, are contained in Appendix "E".

3.11.3 As established by System directives but subject to the availability of state and federal funding, Sponsoring Agency shall procure and maintain required caches of equipment and supplies. The contents of these caches shall be utilized for deployments of the Task Force and, subject to state and federal rules and regulations, will be made available for training activities of Sponsoring Agency and Participating Agency, Participating Member. Participants shall use Task Force cache

equipment and supplies only for authorized purposes and shall exercise reasonable care to protect and preserve the property against loss or damage. The Participating Agency shall be financially accountable for any Task Force property that is lost or damaged due to negligence or unauthorized use by the Participating Agency, to the extent authorized by Texas law.

3.12 Notification Procedures and Other Communications.

3.12.1 Alerts and Activation.

3.12.1.1 Sponsoring Agency's commander/chief executive officer or his/her designee shall determine whether the Task Force is capable of and will respond to Activation Orders.

3.12.1.2 Participating Agency shall maintain at all times a "Point of Notification" for receipt of notices from Sponsoring Agency concerning possible deployments of the Task Force. The Point of Notification shall include 24-hour telephonic and electronic capabilities. Information concerning the Participating Agency Point of Notification shall be set forth in Appendix "F".

3.12.1.3 Upon receipt of Alert or Activation Orders, Sponsoring Agency shall give prompt telephonic and electronic notice to Participating Agency's Point of Notification. The notice shall designate the Task Force positions for which Participating Agency's Participants are being requisitioned, the location of the assembly point, and to the extent known, the nature and character of the Activation.

3.12.1.4 Participating Agency shall at all times maintain the capability of providing requisitioned Participants for participation on a deployment of the Task Force, but reserves the right to decline the mission based on the needs of the agency and the availability of qualified personnel.

3.12.1.5 Upon receipt of an Activation Order for the Task Force, Participating Agency shall cause the required Participants to respond to the assembly point designated in the notice.

3.12.1.6 Upon receipt of an Activation Order for the Task Force, Participating Member shall notify the Task Force that he/she is available for deployment and respond to the assembly point.

3.12.2 Mobilization.

3.12.2.1 All requisitioned Participants will respond to the designated assembly point within 2 hours and 30 minutes of notification with all required personal clothing and equipment and required documentation.

3.12.2.2 Participating Agency will select its Participants through a pre-established selection system that ensures the requisition is promptly filled with fully qualified Participants.

3.12.2.3 Selected Participants will be subject to a pre-deployment medical screening. Any Participant who fails the screening will not be deployed.

3.12.2.4 Sponsoring Agency retains the sole right to determine which Participating Agency personnel, Participating Member, if any, will respond with the Task Force when Activated.

3.12.3 Other Communications. Sponsoring Agency will remain in contact with Participating Agency through the Participating Agency Point of Notification during the period of Activation.

3.13 Critical Incident Stress Syndrome ("CISS") and Management.

3.13.1 Sponsoring Agency will have primary responsibility to provide CISS training, intervention and support, before, during and after activation.

3.13.2 Costs incurred for unauthorized CISS activities are not eligible for reimbursement.

4. GENERAL PROVISIONS

4.1 Effective Date. This Agreement shall be effective when it has been duly and regularly authorized and executed by all parties.

4.2 Authority. As more specifically indicated above and below, this Agreement is made (a) pursuant to the provisions of the Interim Final Rule or the Final Rule; and (b) under the authority of Texas law, in furtherance of the purposes of the National Urban Search and Rescue Response System,

4.3 Contents of the Agreement. Upon its execution, the Agreement consists of this Agreement, along with the following Appendices and other attachments, if any:

4.3.1 Appendix "A" – The list of qualified participants from the participating agency, serving as "members" of the Task Force.

4.3.2 Appendix "B" – US&R Task Force position pay scale and reimbursement policies.

4.3.3 Appendix "C" – Task Force reports and record keeping requirements.

4.3.4 Appendix "D" – Clothing and equipment provided by Task Force and required of participants.

4.3.5 Appendix "E" – US&R Task Force position descriptions and training requirements.

4.3.6 Appendix "F" – Point of contact information for Participating Agency and Sponsoring Agency.

4.4 Amendments and Termination.

4.4.1 Except as otherwise expressly provided, this Agreement may be modified or amended only by another written agreement approved and executed by all parties, and all such amendments will be attached to this Agreement.

4.4.2 Term and Termination. The Agreement shall continue in effect unless and until terminated as provided in this Agreement. The Agreement may be terminated by any party upon 30 days written notice, except that Participating Agency may not terminate this Agreement without the written consent of Sponsoring Agency during any time interval when the Task Force has been placed on Alert status or has been Activated if the Alert or Activation affects Participants of the Participating Agency.

4.5 Miscellaneous Provisions.

4.5.1 The obligations of the Participating Agency set forth in this Agreement are non-delegable and may not be assigned to or assumed by any other person without the prior written consent of Sponsoring Agency.

4.5.2 Except and to the extent federal law controls, this Agreement shall be construed and enforced, as between the parties, according to the laws of the State of Texas.

4.5.3 No party shall engage in any conduct or activity in the performance of this Agreement or participation in the System that constitutes a conflict of interest under applicable federal, state or local law, rules and regulations.

4.5.4 Each party shall at all times observe and comply with all applicable federal, state and local laws, rules and regulations.

4.5.5 Except as provided otherwise with respect to emergency notifications, if it is necessary for the purposes of this Agreement for one of the named parties to give notice to the other named party, notice shall be in writing with the expenses of delivery or mailing fully prepaid and shall be delivered by personal service or a form of public or private mail service requiring proof of delivery. Notice is effective upon personal delivery, or by mail service, on the date of either actual receipt or five days after posting, whichever is first. Unless changed in writing in accordance with this Section, notice shall be served on the party at the address shown in Sections 1.1 and 1.2 and 1.3 of this Agreement.

4.5.6 Titles and section headings are for convenience only and are not a part of the parties' Agreement.

4.5.7 Should any provision of this Agreement be determined to be invalid or unenforceable under applicable law, the provision shall, to the extent required, be severed from the remainder of the Agreement which shall continue in full force and effect.

4.5.8 This Agreement and its provisions are binding upon and inure to the benefit of the parties and to their respective successors in interest, provided, however, this Agreement does not and will not bestow any rights or remedies upon persons to whom an unlawful delegation or assignment has been made by Participating Agency.

4.5.9 This Agreement is made for the sole and exclusive benefit of the named parties and their lawful successors in interest, and no other person or entity is intended to, nor shall such other person or entity acquire or be entitled to receive any rights or benefits as a third-party beneficiary of this Agreement.

4.5.10 Neither the United States of America or the State of Texas is a party to this Agreement.

4.5.11 Each person executing this Agreement represents that: he/she was and is lawfully authorized to sign the Agreement on behalf of the party he/she represents; execution of the Agreement was duly and regularly authorized by the party's governing body; and, to the person's best knowledge and belief the Agreement is a binding and enforceable obligation of the party on whose behalf he/she acted.

4.5.12 Each party represents to the other: that the party has fully read and understood all of the provisions of this Agreement including the Appendices and other attachments, if any; that the party has secured and considered such legal advice and other expert counsel as the party deemed necessary and advisable for these purposes; and, that in agreeing to execute and become a signatory to this Agreement the party has deemed itself adequately informed and advised as to all of the risks assumed and obligations undertaken pursuant to this Agreement.

4.5.13 This Agreement, including the Appendices and attachments, if any, constitutes the entire agreement between the parties and it supersedes any prior agreements on this matter.

5. EXECUTION

This Agreement was executed by the parties on the dates shown below.

Sponsoring Agency

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR.
City Attorney

CITY OF DALLAS
MARY K. SUHM
City Manager

BY _____
Assistant City Attorney

BY _____
Assistant City Manager

Participating Agency

APPROVED AS TO FORM:

City of Rockwall, Texas

X BY _____
Legal Officer (e.g. City Attorney)

BY _____
Authorized Officer (e.g. Mayor, City Manager)

(Type or Print Name and Title)

(Type or Print Name and Title)

Participating Member

Participating Member

BY _____
Participating Member

BY _____
Participating Member

Participating Member

Participating Member

BY _____
Participating Member

BY _____
Participating Member

Participating Member

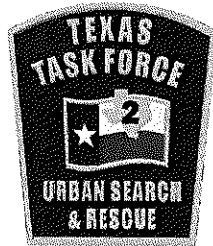
Participating Member

BY _____
Participating Member

BY _____
Participating Member

Date: _____

APPENDIX A



Overview

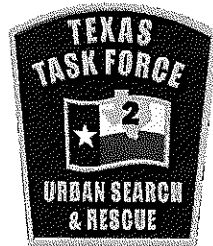
This appendix provides the necessary information for Participating Members and Participating Agencies entering into Agreement with Texas Task Force 2 (TX-TF2). The section will:

- Provide the “TX-TF2 Applicant Information Application Form 307-2” for an individual interested in applying for membership with the Task Force. Applicant information will include:
 - Personal information
 - Notification information
 - TF Position (s) being applied for
 - Emergency contact information
 - Special Qualifications
 - Training overview
 - Participating Agency (if applicable)

- Provide the “Participating Agency Participant Roster Form 307-3”. This form will include:
 - Name of the Participating Agency
 - Contact information
 - Certified members assigned to TX-TF2
 - Period of Performance

All applicable Forms will be attached to the MOA for filing.

APPENDIX B



Overview

This appendix provides the necessary information regarding Task Force Pay Scales and Reimbursement Procedures for Participating Members and Participating Agencies entering into Agreement with Texas Task Force 2 (TX-TF2).

A) Pay Rates

- 1) TX-TF2 will reimburse its Participating Agencies for the participation of each Task Force Member who is employed by that Participating Agency at the hourly rate of salary identified on the most current payroll printout provided by the Participating Agency requesting salary reimbursement. TX-TF2 may also reimburse Participating Agencies for the allocable portion of fringe benefits paid to or on behalf of the Task Force member during the period of activation. The actual benefits paid must also be shown on or attached to the Participating Agency's payroll printout submitted to TX-TF2. Participating Agencies will use the Form 307-6 and attach accompanying documentation when requesting reimbursement.
- 2) A Participating Member, an individual resource (Affiliated Personnel), members not employed by a Participating Agency will be paid at a rate identified with his/her Task Force Position on the TX-TF2 Pay Schedule by Position, Form 307-6B (attached). The individual resource's 40-hour workweek will begin upon acceptance of a mission. The individual will be paid for the first 40-hours at the standard base rate of pay, and at one and one half (1 ½) times for all other hours in that same week. The workweek will consist of seven consecutive workdays to include weekends and holidays.

B) Work Shift

- 1) Every day is considered a workday during the Activation, until the Activation is over, and the Task Force returns to its original Point of Assembly. Therefore, Saturday, Sunday, holidays and other scheduled days off are also considered workdays during the period of Activation
- 2) All individuals are assured pay for base hours of work, mobilization and demobilization, travel, or standby at the appropriate rate of pay for each workday.
- 3) All non-FLSA exempt Task Force members will receive their standard base rate of pay, converted to a 40-hour work week, for the first 8-hours of each work day and the first 40-hours of work each week. Hours eligible for compensation above this will be paid at one and one half (1 ½) times the members base rate of pay.
- 4) All FLSA-exempt Task Force members will receive their normal salary for all hours worked during the Activation. FLSA-exempt members will not receive overtime compensation.

C) Ordered Standby

Compensable standby shall be limited to those times when an individual is held, by direction or orders, in a specific location, fully outfitted and ready for assignment.

D) Reimbursement

All "Financial Provisions" which exist in Section 3.4 of the MOA shall apply to reimbursement procedures.

TX-TF2 Pay Schedule By Position Form 307-5

Texas Task Force 2 has adopted the following pay rates for Task Force Members who are not employed by a Participating Organization / Agency. The rates for all except the Medical Team Manager are based on the current GS-Salary Tables for GS11/5, GS12/5, GS13/5, and GS15/5, plus locality pay.

2010 GS Base Rates

Assignment	Hourly Rate	Assignment	Hourly Rate
Medical Team Manager	\$85.00	Safety Officer	\$39.50
Task Force Leader	\$46.97	Rescue Squad Officer	\$39.50
Structural Specialist	\$65.29	Planning Officer	\$39.50
HazMat Manager	\$39.50	Technical Information Specialist	\$39.50
Search Team Manager	\$39.50	Communications Specialist	\$39.50
Rescue Team Manager	\$39.50	Technical Search Specialist	\$32.95
Logistics Team Manager	\$39.50	Rescue Specialist	\$32.95
Plans Manager	\$39.50	Medical Specialist	\$32.95
		Logistics Specialist	\$32.95
		Heavy Rigging Specialist	\$32.95
		HazMat Specialist	\$32.95
		K-9 Specialist	\$39.50
		Ground Support	\$32.95



TX-TF2 Request for Reimbursement Form 307-6



I. Participating Agency

Invoice Number: _____

Participating Agency / Organization Name: _____		
Agency Address: (street, city or town, state, Zip code): _____		
Date: _____	Fed Tax ID Number: _____	Business Fax: _____
Primary Contact Person: _____	Business Telephone: _____	E-mail Address: _____
Cellular Telephone: _____		
Check Payable to: _____		

Employee Information

Complete one form for each employee

II. Reimbursement Information

Name of Employee: _____		TF Position: _____		SS# (Last 4 digits): _____		Regular Hourly Rate: _____	
Rank: _____							
TF Alert Date & Time: _____	TF Activation Date & Time: _____	TF Demobilization Date & Time: _____	Time Employee Starts Shift: _____	Time Employee Ends Shift: _____			
Incident Name: _____							
Day of Week Deployed: _____	Dates of Deployment: _____	US&R Work Hours: _____	Straight Time Hours: _____	Overtime Hours: _____			

Total Amount Requested: _____	<p>Once this form is completed, please forward along with the appropriate payroll printouts to the following:</p> <p>Mr. Donzell Gipson – Assistant Director, Financial Services Dallas Fire-Rescue Department City Hall – 7AS Dallas, TX 75201</p> <p>For questions concerning this form, please contact Heather Sherlock at 214-670-7953</p>
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Certification:

I certify, to the best of my knowledge and belief, that the billed costs or disbursements are in accordance with the terms and conditions of the Memorandum of Agreement, and that payment is due and has not previously been requested.

Signature: _____ Date: _____

Name / Title: _____

TX-TF2 Request for Reimbursement Form 307-6B



I. Personal Information

Name:		
Address: (street, city or town, state, Zip code):		
Date:	Telephone:	Fax:
Cellular Telephone:		
Email Address:		

Employee Information

Complete one form for each employee

II. Reimbursement Information

Name:		TF Position:	SS# (Last 4 digits):	Regular Hourly Rate:	
TF Alert Date & Time:	TF Activation Date & Time:	TF Demobilization Date & Time:	Time Employee Starts Shift:	Time Employee Ends Shift:	
Incident Name:					
Day of Week Deployed:	Dates of Deployment:	US&R Work Hours:	Straight Time Hours:	Overtime Hours:	
Additional Dates Worked:	Total Hours Worked:	Straight Time Hours:	Overtime Hours:		

Total Amount Requested:	<p>Once this form is completed, please forward along with the appropriate payroll printouts to the following:</p> <p>Mr. Donzell Gipson – Assistant Director, Financial Services Dallas Fire-Rescue Department City Hall – 7AS Dallas, TX 75201</p> <p>For questions concerning this form, please contact Heather Sherlock at 214-670-7953</p>
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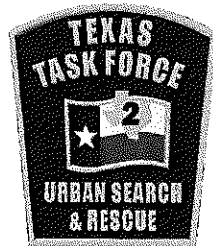
III. Certification:

I certify, to the best of my knowledge and belief, that the billed costs or disbursements are in accordance with the terms and conditions of the Memorandum of Agreement, and that payment is due and has not previously been requested.

Signature: _____ Date: _____

Name / Title: _____

APPENDIX C



Overview

This appendix provides the necessary information regarding Reports and Recordkeeping for Participating Members and Participating Agencies entering into Agreement with Texas Task Force 2 (TX-TF2).

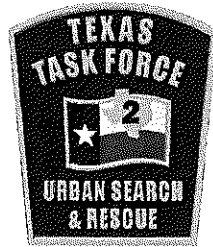
A) Reports

- 1) Participating Members (Affiliated Personnel) – Reserved
- 2) Participating Agencies – Reserved

B) Record Keeping

- 1) Participating Members (Affiliated Personnel) – It will be the responsibility of the Sponsoring Agency to maintain records on all Participating Members designated as Affiliated Personnel.
 - 1.1 Individuals are required to provide the Sponsoring Agency with items such as certificates of training, shot records, drivers license numbers, etc. during their affiliation with the Task Force.
 - 1.2 All supporting documentation will accompany the Task Force Form 307-2 when making application with the Task Force.
 - 1.3 Individuals shall notify the Sponsoring Agency of changes to their personal file within 30-days from the date of change.
- 2) Participating Agencies - will maintain certificates of training, shot records, drivers license numbers, etc. on their members, during their affiliation with the Task Force.
 - 2.1 Participating Agencies shall be responsible for "Credentialing" their personnel assigned to positions on the Task Force.
 - 2.2 The Task Force Form 307-3 will be utilized to document credentialed members. The Participating Agency will update the 307-3 when warranted.

APPENDIX D



Overview

This appendix provides the necessary information regarding Clothing and Equipment issuances for Participating Members and Participating Agencies entering into Agreement with Texas Task Force 2 (TX-TF2).

A) Clothing and Equipment Allocations

Members assigned to positions on the Task Force shall be provided with the proper personal protective equipment prior to participating in approved training courses, and deployments.

This Appendix will accompany the MOA and will specify in detail, if the necessary equipment will be provided by the Sponsoring Agency, the Participating Agency, or the individual directly. (See Section C)

B) Required Equipment

The following equipment is required for Regional and State Deployments:

SA – Sponsoring Agency, PA – Participating Agency, I - Individual

Item Description	Quantity	Responsibility Of
Blue BDU Trousers		SA, PA, I
Blue BDU shirt with PA & US&R patches		SA, PA, I
US&R Picture ID		SA
US&R Belt		SA, PA, I
US&R T-shirt		SA, PA, I
US&R Safety Boots		SA, PA, I
Ball cap (optional)		SA, PA, I
US&R Equipment Bag		SA, PA, I
Navy blue or black heavy jacket (seasonal)		SA, PA, I
Rain Gear		SA, PA, I
Underwear		I
Socks		I
Bath Towel		I
Wash Cloth		I
Personal Hygiene and Grooming Kit		I
Eyeglasses		I
Sunglasses		I
1-Week worth of medications		I

Appendix D – Memorandum of Agreement APP D

Item Description	Quantity	Responsibility Of
Wristwatch		I
Food and water for 24 hours		SA
Administrative kit for assigned position		SA
Nimrod Backpack		SA, PA, I
Safety Helmet with chin strap and helmet light		SA, PA, I
US&R Gloves		SA, PA, I
Firefighting Gloves (for hot work, welding, etc.)		SA, PA, I
Eye Protection		SA, PA, I
Hearing Protection		SA, PA, I
SCBA Face Piece		SA, PA, I
N95 Particulate Mask		SA, PA, I
Flashlight, with spare batteries and bulbs		SA, PA, I
Drinking Water & MRE		SA
Knee pads		SA, PA, I
Bandanas		I
Sunscreen & Insect Repellent		I
FOG Manual		SA, PA, I

C) Authorization of Equipment (*Attach to MOA*)

By signing below, those Agencies and/or Individual agree to the issuance of equipment detailed in Section B.

I. Participating Agency

Signature: _____ Date: _____

Name / Title: _____

II. Individual

Signature: _____ Date: _____

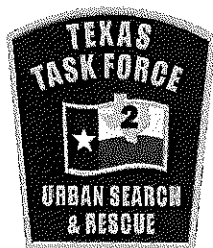
Name: _____

III. Sponsoring Agency

Signature: _____ Date: _____

Name / Title: _____

APPENDIX F



Overview

This appendix is intended to detail the Point of Contact information for the Sponsoring Agency, Individuals, and Participating Agencies entering into Agreement with Texas Task Force 2 (TX-TF2).

I. Participating Agency

<i>Organization / Department / Employer:</i>		
<i>Organization / Department / Employer (street, city or town, state, Zip code):</i>		
<i>E-mail Address:</i>	<i>Business Telephone:</i>	<i>Business Fax:</i>
<i>Primary Contact Person:</i>	<i>Business Telephone:</i> <i>Cellular Telephone:</i>	<i>E-mail Address:</i>

Signature: _____ Date: _____

Name / Title: _____

II. Individual

<i>Last Name:</i>	<i>First:</i>	<i>MI:</i>	<i>e-mail address, if any:</i>
<i>Address: (street, city or town, state, Zip code)</i>			
<i>Home Telephone:</i>	<i>Business Telephone:</i>	<i>Fax Number:</i>	
<i>Cellular Telephone:</i>		<i>Pager Number: Alpha-numeric? Yes No</i>	

Signature: _____ Date: _____

Name: _____

III. Sponsoring Agency

<i>Organization / Department / Employer:</i>		
<i>Organization / Department / Employer (street, city or town, state, Zip code):</i>		
<i>E-mail Address:</i>	<i>Business Telephone:</i>	<i>Business Fax:</i>
<i>Primary Contact Person:</i>	<i>Business Telephone:</i> <i>Cellular Telephone:</i>	<i>E-mail Address:</i>

Signature: _____ Date: _____

Name / Title: _____

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staff memo	23
spreadsheet.	24
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Consider authorizing the City Manager to execute an engineering services contract with Hydrological Support Services, LLC in an amount not to exceed \$40,000.00, with funding being provided from the FY 2013-14 Department Operations Budget and developer reimbursement, and take any action necessary.	
Eng. flood Study Review Contract - Rick Crowley 10-25- 13.	26
Professional Engineering Services Contract Engineering Flood Studies	27
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Consider approval of an ordinance allowing various sanitary sewer materials to be included in the City's Standards of Design and Construction Manual and the North Central Texas Council of Governments Standard Specifications for Public Works Construction (3rd Edition), and take any action necessary. (2nd reading)	
Ord_2nd Reading	41
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Consider authorizing the City Manager to execute Purchase Orders with Caldwell Country in the amount of \$144,575 and Dallas Dodge in the amount of \$123,750 for the purchase of Police Pursuit vehicles approved in the 2014 budget; funded with General Reserves, and take any action necessary.	
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Consider authorizing the City Manager to execute a Purchase Order with Brazos Technologies in the amount of \$86,257 for the purchase of the Police E-Citation System approved in the 2014 budget; funded with General Reserves, and take any action necessary.	
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Consider authorizing the City Manager to execute a Purchase Order with Caldwell Country in the amount of \$55,142 for the purchase of 2 Parks service trucks; approved in the 2014 budget, funded with General Reserves and take any action necessary.	
Memo	49

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Consider authorizing the City Manager to bid and purchase a fuel truck on Rene Bates Auctioneers, Inc. in an amount not to exceed \$10,000.00, to be used at Ralph M. Hall / Rockwall Municipal Airport, to be funded from General Fund Reserves, and take any action necessary.	
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Consider authorizing the City Manager to execute an agreement with Rockwall County regarding Subdivision Regulation Enforcement in the extra territorial jurisdiction (ETJ) of the City of Rockwall located in Rockwall County, and take any action necessary.	
Memo	55
Agreement	56
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P2013-039 - Consider a request by Jay Bedford on behalf of the owner Rick Sharp for the approval of a final plat for Lots 1-3, Block A of the Sharp Addition being a 9.259-acre tract of land currently identified as Tract 2 of the J. A. Ramsey Survey, Abstract No. 186, Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) Light Industrial (LI) District, located at 2578 & 2582 SH-276, and take any action necessary.	
Staff Report	68
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Z2013-029 - Consider approval of an ordinance for a request by Cameron Slown on behalf of Med-Tech Construction, Inc. for the approval of a Specific Use Permit for an assisted living facility on a 0.96-acre tract of land identified as Lots 2 & 5, Block 1 of the Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57), and located southeast of the corner of the intersection of H. Wallace Lane and Jeff Boyd Drive, and take any action necessary. (2nd reading)	
Ord_2nd reading	76
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Z2013-030 - Consider approval of an ordinance for a request by Jim Smylie on behalf of Bill Burns for the approval of a zoning change from Agricultural (Ag) District to a Commercial (C) District for a 9.77-acre tract of land identified as Lots 18 & 19 of Rainbow Acres, City of Rockwall, Rockwall County, Texas, located at the southeastern corner of the intersection of Ranch Trail Road and County Line Road, and take any action necessary. (2nd Reading)	
Ord_2nd Reading	81
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Appointment with representative(s) of the Rockwall's Original Pumpkin Patch to hear report related to use of Hotel/Motel Occupancy Tax Funding, and take any action necessary.	
Memo & Reports	85
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A2013-001 (6:00 p.m.) - Hold a public hearing and consider a City initiated request to annex land in accordance with previously approved Chapter 212 Texas Local Government Code Development Agreements, specifically for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181 and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows: (1) Tract 17-14 of the W. W. Ford Survey, Abstract No. 80 being 12.493-acres, (2) Tract 40 of the W. W. Ford Survey, Abstract No. 80 being 8.989-acres, (3) Tract 40-1 of the W. W. Ford Survey, Abstract No. 80 being 1-acre, (4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181 being 20-acres.

Staff Report	90
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Hold a public hearing to discuss and consider re-adoption of an ordinance continuing a curfew for minors under seventeen years of age, and take any action necessary. (2nd reading)

Ord_2nd Reading	99
Blank Page	101

Z2013-028 - Discuss and consider approval of an ordinance for a request by Rockwall Gold & Silver on behalf of Donna Pritchard for the approval of a Specific Use Permit for a pawn shop on a portion of a 0.423-acre parcel of land, zoned Commercial (C) District and located within the SH 205 Overlay (SH 205 OV) District, identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, specifically Suite 1 of 1901 S. Goliad Street, and take any action necessary. (2nd Reading)

Ord_2nd Reading	102
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MIS2013-010 - Discuss and consider a request by Russell Philips for the approval of a waiver of design standards in conjunction with a previously approved site plan for a streetscape plan for Planned Development District 32 (PD-32) on property being situated within the Summit Office & Hillside Sub-Districts and located within the right-of-way of Sunset Ridge Drive, Pinnacle Way and Harbor Heights Drive, and take any action necessary.

Staff Report	107
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Discuss and consider a resolution placing a 180 day moratorium on the acceptance, processing of applications and issuance of permits for the operation of non-traditional smoking related businesses including regulation of vaporizers, e-cigarettes and other non-traditional smoking products within the corporate limits of the City of Rockwall, and take any action necessary.

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Discuss and consider a request by Republic Waste to increase solid waste collection fees effective January 1, 2014, and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, December 02, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District and Rockwall Economic Development Corporation (REDC) pursuant to Section §551.074 (personnel matters)
3. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding appointment of city council member to a Rockwall Independent School District (RISD) subcommittee pursuant to Section, § 551.074 (Personnel Matters).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, December 02, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VII. OPEN FORUM

VIII. CONSENT AGENDA

- p.101. 1. Consider approval of the minutes from the November 18, 2013 regular city council meeting, and take any action necessary.
- p.23 2. Consider authorizing the City Manager to execute a renewal contract with ING to secure reinsurance/stop loss coverage for the City's self-insured employee health coverage applying to claims exceeding \$100,000, and take any action necessary.
- p.26 3. Consider authorizing the City Manager to execute an engineering services contract with Hydrological Support Services, LLC in an amount not to exceed \$40,000.00, with funding being provided from the FY 2013-14 Department Operations Budget and developer reimbursement, and take any action necessary.
- p.41 4. Consider approval of an **ordinance** allowing various sanitary sewer materials to be included in the City's Standards of Design and Construction Manual and the North Central Texas Council of Governments Standard Specifications for Public Works Construction (3rd Edition), and take any action necessary. **(2nd reading)**
- p.45 5. Consider authorizing the City Manager to execute Purchase Orders with Caldwell Country in the amount of \$144,575 and Dallas Dodge in the amount of \$123,750 for the purchase of Police Pursuit vehicles approved in the 2014 budget; funded with General Reserves, and take any action necessary.
- p.47 6. Consider authorizing the City Manager to execute a Purchase Order with Brazos Technologies in the amount of \$86,257 for the purchase of the Police E-Citation System approved in the 2014 budget; funded with General Reserves, and take any action necessary.
- p.49 7. Consider authorizing the City Manager to execute a Purchase Order with Caldwell Country in the amount of \$55,142 for the purchase of 2 Parks service trucks; approved in the 2014 budget, funded with General Reserves and take any action necessary.
- p.51 8. Consider authorizing the City Manager to bid and purchase a fuel truck on Rene Bates Auctioneers, Inc. in an amount not to exceed \$10,000.00, to be used at Ralph M. Hall / Rockwall Municipal Airport, to be funded from General Fund Reserves, and take any action necessary.

- p.55 9. Consider authorizing the City Manager to execute an agreement with Rockwall County regarding Subdivision Regulation Enforcement in the extra territorial jurisdiction (ETJ) of the City of Rockwall located in Rockwall County, and take any action necessary.
- p.68 10. **P2013-039** - Consider a request by Jay Bedford on behalf of the owner Rick Sharp for the approval of a final plat for Lots 1-3, Block A of the Sharp Addition being a 9.259-acre tract of land currently identified as Tract 2 of the J. A. Ramsey Survey, Abstract No. 186, Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) Light Industrial (LI) District, located at 2578 & 2582 SH-276, and take any action necessary.
- p.76 11. **Z2013-029** - Consider approval of an **ordinance** for a request by Cameron Slown on behalf of Med-Tech Construction, Inc. for the approval of a Specific Use Permit for an assisted living facility on a 0.96-acre tract of land identified as Lots 2 & 5, Block 1 of the Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57), and located southeast of the corner of the intersection of H. Wallace Lane and Jeff Boyd Drive, and take any action necessary. **(2nd reading)**
- p.81 12. **Z2013-030** - Consider approval of an **ordinance** for a request by Jim Smylie on behalf of Bill Burns for the approval of a zoning change from Agricultural (Ag) District to a Commercial (C) District for a 9.77-acre tract of land identified as Lots 18 & 19 of Rainbow Acres, City of Rockwall, Rockwall County, Texas, located at the southeastern corner of the intersection of Ranch Trail Road and County Line Road, and take any action necessary. **(2nd Reading)**

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
- p.85 2. Appointment with representative(s) of the Rockwall's Original Pumpkin Patch to hear report related to use of Hotel/Motel Occupancy Tax Funding, and take any action necessary.

X. PUBLIC HEARING ITEMS

- p.90 1. **A2013-001 (6:00 p.m.)** - Hold a public hearing and consider a City initiated request to annex land in accordance with previously approved Chapter 212 Texas Local Government Code Development Agreements, specifically for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181 and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows: (1) Tract 17-14 of the W. W. Ford Survey, Abstract No. 80 being 12.493-acres, (2) Tract 40 of the W. W. Ford Survey, Abstract No. 80 being 8.989-acres, (3) Tract 40-1 of the W. W. Ford Survey, Abstract No. 80 being 1-acre, (4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181 being 20-acres.

2. **A2013-001 (6:30 p.m.)** - Hold a public hearing and consider a City initiated request to annex land in accordance with previously approved Chapter 212 Texas Local Government Code Development Agreements, specifically for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181 and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows: (1) Tract 17-14 of the W. W. Ford Survey, Abstract No. 80 being 12.493-acres, (2) Tract 40 of the W. W. Ford Survey, Abstract No. 80 being 8.989-acres, (3) Tract 40-1 of the W. W. Ford Survey, Abstract No. 80 being 1-acre, (4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181 being 20-acres.
- p.99 3. Hold a public hearing to discuss and consider re-adoption of an **ordinance** continuing a curfew for minors under seventeen years of age, and take any action necessary. **(2nd reading)**

XI. ACTION ITEMS

- p.102 1. **Z2013-028** - Discuss and consider approval of an **ordinance** for a request by Rockwall Gold & Silver on behalf of Donna Pritchard for the approval of a Specific Use Permit for a pawn shop on a portion of a 0.423-acre parcel of land, zoned Commercial (C) District and located within the SH 205 Overlay (SH 205 OV) District, identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, specifically Suite 1 of 1901 S. Goliad Street, and take any action necessary. **(2nd Reading)**
- p.107 2. **MIS2013-010** - Discuss and consider a request by Russell Philips for the approval of a waiver of design standards in conjunction with a previously approved site plan for a streetscape plan for Planned Development District 32 (PD-32) on property being situated within the Summit Office & Hillside Sub-Districts and located within the right-of-way of Sunset Ridge Drive, Pinnacle Way and Harbor Heights Drive, and take any action necessary.
- p.121 3. Discuss and consider a resolution placing a 180 day moratorium on the acceptance, processing of applications and issuance of permits for the operation of non-traditional smoking related businesses including regulation of vaporizers, e-cigarettes and other non-traditional smoking products within the corporate limits of the City of Rockwall, and take any action necessary.
- p.127 4. Discuss and consider a request by Republic Waste to increase solid waste collection fees effective January 1, 2014, and take any action necessary.

XII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
 - Building Inspections Monthly Report - October 2013 p.133
 - Fire Department Monthly Reports - October 2013 p.146
 - Harbor PD Monthly Report - October 2013 p.172
 - Internal Operations Department Monthly Report - October 2013 p.174
 - Parks & Recreation Department Monthly Report - October 2013 p.177
 - Police Department Monthly Report - October 2013 p.179
 - Rockwall Animal Adoption Center (RAAC) Monthly Report - October 2013 p.182

2. City Manager's Report

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District and Rockwall Economic Development Corporation (REDC) pursuant to Section §551.074 (personnel matters)
3. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding appointment of city council member to a Rockwall Independent School District (RISD) subcommittee pursuant to Section, § 551.074 (Personnel Matters).

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 27th day of November, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary

1
2
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MINUTES
ROCKWALL CITY COUNCIL
Monday, November 18, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

7 **I. CALL PUBLIC MEETING TO ORDER**

8
9 **Mayor Sweet called the public meeting to order at 4:00 p.m. Present were Mayor David**
10 **Sweet, Mayor Pro Tem David White and Councilmembers Jim Pruitt, Mike Townsend,**
11 **Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick**
12 **Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank**
13 **Garza. Mayor Sweet then read the below listed discussion items into the public record**
14 **before recessing the public meeting into Executive Session at 4:02 p.m.**

15
16 **II. EXECUTIVE SESSION.**

17
18 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**
19 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**
20 **CODE:**

- 21 1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of
22 Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section
23 551.071 (Consultation with Attorney)
- 24 2. Discussion regarding securing legal representation from Carrington,
25 Coleman, Sloman & Blumenthal, L.L.P. pertaining to TF-Harbor LLC v.
26 City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to
27 Tex. Gov't. Code, § 551.071 (Consultation with Attorney).
- 28 3. Discussion regarding Economic Development incentives, procedures and
29 possible projects pursuant to Section 551.087 (Economic Development)
- 30 4. Discussion regarding appointments to city regulatory boards,
31 commissions, and committees including the Rockwall Central Appraisal
32 District pursuant to Section §551.074 (personnel matters)

33 **III. ADJOURN EXECUTIVE SESSION**

34
35 **Council adjourned from Executive Session at 5:02 p.m.**
36

MINUTES
ROCKWALL CITY COUNCIL
Monday, November 18, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all council members and staff listed above being present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem White made a motion to secure legal representation from Carrington, Coleman, Sloman & Blumenthal, L.L.P. Councilmember Lewis seconded the motion, which passed unanimously of council present (7 ayes to 0 nays).

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER

Councilmember Milder delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS / AWARDS

1. Texas Amateur Athletic Federation (TAAF) Presidents Award

Jeff Goodman, with the City of Waco Parks and Recreation Department, came forth and shared a history of Brad Griggs' service and accomplishments over the years. He then presented Mr. Griggs (Rockwall Assistant City Manager / Parks Director) with the TAAF Presidents Award.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the November 4, 2013 regular city council meeting, and take any action necessary.
2. Consider approval of an **ordinance** allowing various sanitary sewer materials to be included in the City's Standards of Design and Construction Manual and the North Central Texas Council of Governments Standard Specifications for Public Works Construction (3rd Edition), and take any action necessary. **(1st reading)**
3. Consider approval of a request by AT&T Wireless for a new monopole cellular communications tower to be located at 1310 E. Interstate 30 (East Side Water Yard), authorizing the City Manager to execute an agreement and take any action necessary.
4. **P2013-037** - Consider a request by the Skorburg Company on behalf of Life Spring Church for the approval of a final plat for a 0.402-acre tract of land located within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas for the purpose of dedicating right-of-way; the subject property is zoned Agricultural (Ag) District, is generally located

85 north of John King Boulevard and east of SH-205, and take any action
86 necessary.

87 5. **P2013-038** - Consider a request by Marshall Gage, LLC on behalf of
88 Ridge Road Properties, LLC for the approval of a replat for Lots 23 & 24,
89 Block A, Horizon Ridge Addition being a 1.021-acre parcel of land
90 currently identified as Lot 13R, Block A, Horizon Ridge Addition, City of
91 Rockwall, Rockwall County, Texas; zoned Planned Development District
92 9 (PD-9), situated within the Scenic Overlay (SOV) District, generally
93 located south of IH-30 on the east side of FM-740 (Ridge Road), and take
94 any action necessary.

95 **Mayor Pro Tem White made a motion to approve the entire Consent Agenda (#s 1, 2, 3, 4**
96 **and 5). Councilmember Townsend seconded the motion. The ordinance was read as**
97 **follows:**

98 **CITY OF ROCKWALL, TEXAS**
99 **ORDINANCE NO. 13-_____**

100
101 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
102 **TEXAS, AMENDING CHAPTER 38. SUBDIVISIONS, ARTICLE I. IN GENERAL,**
103 **SECTION 38-23. STANDARDS FOR DESIGN OF DEVELOPMENT WITHIN**
104 **SUBDIVISIONS ADOPTED TO AMEND THE CITY OF ROCKWALL'S**
105 **SUPPLEMENTAL SPECIAL PROVISIONS TO THE STANDARD**
106 **SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, NORTH CENTRAL**
107 **TEXAS, 3RD EDITION; PROVIDING FOR A PENALTY OF FINE NOT TO**
108 **EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH**
109 **OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED**
110 **ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING**
111 **FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;**
112 **AND PROVIDING FOR AN EFFECTIVE DATE.**

113
114 **The motion passed by a vote of 7 ayes to 0 nays.**

115
116 **IX. APPOINTMENTS**

- 117
118 1. Appointment with the Planning and Zoning Chairman to discuss and
119 answer any questions regarding cases on the agenda and related issues
120 and take any action necessary.

121 **Craig Renfro, Chair of the Planning & Zoning Commission, came forth and briefed the**
122 **council on recommendations of the Commission relative to items on tonight's city**
123 **council agenda.**

- 124 2. Appointment with representatives of the 2013-2014 Leadership Rockwall
125 Class to discuss and consider a project proposal to construct a butterfly
126 garden located within a City of Rockwall public park and take any action
127 necessary.

128 **Stephen Straughan, representative from the current Leadership Rockwall Class, came**
129 **forth and delivered a presentation regarding the proposed butterfly garden.**

130
131 **Councilmember Milder made a motion to approve the proposed butterfly garden to be**
132 **placed at Lofland Park. Mayor Pro Tem White seconded the motion, which, after brief**
133 **comments, passed by a vote of 7 ayes to 0 nays.**

135 X. PUBLIC HEARING ITEMS

136

137 1. **Z2013-028** - Hold a public hearing to discuss and consider approval of an
138 **ordinance** for a request by Rockwall Gold & Silver on behalf of Donna
139 Pritchard for the approval of a Specific Use Permit for a pawn shop on a
140 portion of a 0.423-acre parcel of land, zoned Commercial (C) District and
141 located within the SH 205 Overlay (SH 205 OV) District, identified as Lot
142 1, Block 1 of the Garland Federal Savings & Loan Addition, specifically
143 Suite 1 of 1901 S. Goliad Street, and take any action necessary. **(1st**
144 **Reading)**

145 **Planning Director Robert LaCroix provided brief background information related to this**
146 **item. Notices were sent out to adjacent property owners located within two hundred feet**
147 **of the property, in accordance with the law. One of the eleven notices sent was received**
148 **back in favor. The Planning and Zoning Commission recommended approval of this item**
149 **by a vote of 5 ayes with 2 against.**

150 **Mayor Sweet opened the public hearing and called the applicant forth.**

151

152 **Lloyd and wife, Toni, Waldrop**
153 **(business owner)**
154 **1185 Aberdeen Lane**
155 **Rockwall, TX**

156

157 **Mr. Waldrop came forth and explained the nature of his request, sharing some**
158 **photographs and explaining that the main purpose is to do strictly jewelry loans in about**
159 **300 square feet of their floor space at this store. He explained he owns an 8,000 square**
160 **foot pawn shop at a separate location off of IH-30, and that is where big items will**
161 **continue to be handled. However, he indicated that he knows there is a certain stigma**
162 **about a pawn shop, and he realizes that a lot of his customers do not want to go into a**
163 **pawn shop store in order to perform a loan transaction. He indicated that this location**
164 **on Goliad (where loans are proposed to be performed) is very secure and that patrons**
165 **are buzzed in and out. He explained that, by law, in order to do loans, he has to get a**
166 **pawn shop license. He shared that the state examiner recently visited his business to**
167 **inspect his books, and the examiner suggested he consider doing pawn loans, indicating**
168 **that a lot of people in the industry are doing them. He stated he has a letter from the**
169 **examiner stating it will be ok to do jewelry loans as long as the City of Rockwall will**
170 **permit it.**

171

172 **City Attorney, Frank Garza, indicated the City of Rockwall, within an SUP, can control the**
173 **type of business, but the city cannot control how they conduct their business. General**
174 **discussion took place regarding possibly placing a time limit on the SUP.**

175

176 **Alice Bland**
177 **1410 S. Goliad Street, #1201**
178 **Rockwall, TX 75087**

179

180 **Mrs. Bland encouraged the council to consider that this neighborhood has a lot of**
181 **transients with the various apartment complexes located nearby. This business may**
182 **also have an affect on the police department because the police may be called due to this**
183 **type of business being a potential lure to criminals.**

184

185 There being no one else in the audience wishing to come forth and speak, Mayor Sweet
186 then closed the public hearing.

187
188 Councilmember Milder expressed concern about this SUP request, and he made a
189 motion to deny Z2013-028. Councilmember Pruitt seconded the motion.

190
191 Councilmember Daniels indicated he received some phone calls from business owners
192 (who are not property owners, so therefore did not receive the public notice that was
193 mailed out by city staff) expressing concern about having this pawn shop business
194 located so close to their own business. Mayor Pro Tem White suggested the council
195 consider granting the SUP but put a time limit on it of two to three years, and then revisit
196 the SUP at that time to gauge whether or not the applicant is operating their business in
197 a manner in which they proposed to council that they will operate. Councilmember Pruitt
198 expressed concern about the existing pay day loan business that is already operating at
199 this location, and he also has concerns about the proposed pawn shop. He believes that
200 this type of business attracts other, similar businesses, and it leads to a degradation of
201 the neighborhood.

202
203 After additional discussion, the motion to deny the SUP failed by a vote of 3 ayes to 4
204 nays (Townsend, White, Sweet and Lewis).

205
206 Mayor Pro Tem White made a motion to approve Z2013-028. Mayor Sweet seconded the
207 motion. He then amended his motion to stipulate that the SUP, if approved, would be
208 granted for a period of two years and would be revisited at the end of that specific time
209 period. Mayor Sweet seconded the amended motion. It was clarified that the motion to
210 approve will include 'staff conditions.'

211
212 After brief discussion, the ordinance was read as follows:

213
214 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
215 ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT
216 CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY
217 AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO ALLOW
218 FOR A "PAWNSHOP" ON A PORTION OF A 0.423-ACRE PARCEL
219 OF LAND, AND MORE SPECIFICALLY IDENTIFIED AS "SUITE 1" AS
220 DEPICTED IN EXHIBIT "A" ATTACHED HERETO, AND LOCATED
221 AT 1901 S. GOLIAD STREET, AND ZONED COMMERCIAL (C)
222 DISTRICT, AND DESCRIBED AS LOT 1, BLOCK 1 OF THE
223 GARLAND FEDERAL SAVINGS & LOAN ADDITION, CITY OF
224 ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR
225 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT
226 TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00)
227 FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;
228 PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN
229 EFFECTIVE DATE.

230
231 The motion passed 4 in favor and 3 against (Pruitt, Daniels, Milder).

232
233 2. **Z2013-029** - Hold a public hearing to discuss and consider approval of an
234 ordinance for a request by Cameron Slown on behalf of Med-Tech
235 Construction, Inc. for the approval of a Specific Use Permit for an
236 assisted living facility on a 0.96-acre tract of land identified as Lots 2 & 5,

237 Block 1 of the Alliance Addition, City of Rockwall, Rockwall County,
238 Texas, zoned Planned Development District 57 (PD-57), and located
239 southeast of the corner of the intersection of H. Wallace Lane and Jeff
240 Boyd Drive, and take any action necessary. **(1st Reading)**

241 **Planning Director Robert LaCroix provided brief background information related to this**
242 **agenda item. Notices were mailed to surrounding property owners, and no responses**
243 **have been received back at this time. The Planning & Zoning Commission did**
244 **recommend approval of this item by a unanimous vote.**

245 **Mayor Sweet opened the public hearing and called the applicant forth to speak.**

246
247 **Cameron Slown, the applicant, came forth and offered brief comments related to this**
248 **proposed assisted living facility.**

249
250 **Alice Bland**
251 **1410 S. Goliad Street, #1201**
252 **Rockwall, TX 75087**

253
254 **Mrs. Bland came forth and asked if this assisted living facility will be an affordable**
255 **assisted living facility. Mayor Sweet suggested that Mrs. Bland visit with the applicant,**
256 **Mr. Slown, in the lobby concerning this inquiry.**

257
258 **There being no one else wishing to come forth and speak, Mayor Sweet then closed the**
259 **public hearing.**

260
261 **Councilmember Pruitt made a motion to approve Z2013-029. Mayor Pro Tem White**
262 **seconded the motion. After additional discussion, the ordinance was read as follows:**

263
264 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
265 **TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF**
266 **ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A**
267 **SPECIFIC USE PERMIT TO ALLOW FOR AN "ASSISTED LIVING**
268 **FACILITY" ON A 0.96-ACRE TRACT OF LAND IDENTIFIED AS LOTS 2 & 5,**
269 **BLOCK 1 OF THE ALLIANCE ADDITION, AND FURTHER DESCRIBED IN**
270 **EXHIBIT "A" ATTACHED HERETO, AND ZONED PLANNED**
271 **DEVELOPMENT DISTRICT NO. 57 (PD-57), CITY OF ROCKWALL,**
272 **ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS;**
273 **PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF**
274 **TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;**
275 **PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A**
276 **REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

277
278 **The motion passed by a vote of 7 ayes to 0 nays.**

279
280 **3. Z2013-030 - Hold a public hearing to discuss and consider approval of an**
281 **ordinance for a request by Jim Smylie on behalf of Bill Burns for the**
282 **approval of a zoning change from Agricultural (Ag) District to a**
283 **Commercial (C) District for a 9.77-acre tract of land identified as Lots 18**
284 **& 19 of Rainbow Acres, City of Rockwall, Rockwall County, Texas,**
285 **located at the southeastern corner of the intersection of Ranch Trail Road**
286 **and County Line Road, and take any action necessary. (1st Reading)**

287 Planning Director Robert LaCroix provided brief background information related to this
288 agenda item. Notices were sent out to nineteen property owners within the area, and
289 staff has received two notices back in favor and one notice back in opposition. The
290 Planning & Zoning Commission has recommended approval of this item by a vote of 7 to
291 0.

292
293 Mayor Sweet opened the public hearing and called the applicant forth.

294
295 **Jim Smylie**
296 **16 Meadowlake Drive**
297 **Heath, TX**

298
299 There being no one else wishing to come forth and speak, Mayor Sweet then closed the
300 public hearing.

301
302 Mayor Pro Tem White made a motion to approve Z2013-030. Councilmember Townsend
303 seconded the motion. The ordinance was read as follows:

304
305 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
306 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE
307 NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED
308 SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN
309 ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL
310 (C) DISTRICT FOR A 9.76-ACRE TRACT OF LAND IDENTIFIED AS LOTS 18
311 & 19 OF RAINBOW ACRES, CITY AND COUNTY OF ROCKWALL, TEXAS
312 AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS
313 ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR
314 A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
315 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
316 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
317 PROVIDING FOR AN EFFECTIVE DATE.

318
319 After brief comments, the motion to approve passed by a vote of 7 ayes to 0 nays.

320
321 4. **P2013-031** - Hold a public hearing to discuss and consider a request by
322 Fritz McKinstry for the approval of a replat creating Lot 23, Block E of
323 Chandler's Landing, Phase 16 being currently identified as Lots 5R & 7R,
324 Block E of Chandler's Landing, Phase 16, zoned Planned Development
325 District 8 (PD-8), located at 257 & 265 Victory Lane, City of Rockwall,
326 Texas, and take any action necessary.

327 Planning Director Robert LaCroix provided brief background information related to this
328 agenda item.

329
330 **Fritz McKinstry**
331 **438 Columbia (in Chandlers Landing)**
332 **Rockwall, TX**

333
334 Mr. McKinstry came forth and indicated that he is making this request in order to
335 combine two, unbuildable lots into one, buildable lot.

336

337 There being no one else wishing to come forth and speak, Mayor Sweet then closed the
338 public hearing. Councilmember Daniels then made a motion to approve P2013-031.
339 Councilmember Lewis seconded the motion, which, after brief comments, passed by a
340 vote of 7 ayes to 0 nays.

341
342 5. Hold a public hearing to discuss and consider approval of a resolution
343 setting increased water and wastewater rates and meter deposits and
344 take any action necessary.

345 City Manager Rick Crowley indicated that the water rate increase is due, in part, to the
346 addition of water system infrastructure and associated increases in costs for treated
347 water. Assistant City Manager, Mary Smith, offered follow up comments, indicating that
348 the ten percent increase in the rates will cover the rate the city will be paying to the North
349 Texas Municipal Water District to pay for treated water, sewer treatment and debt service.
350 There are also increases due to the sewer treatment plant. The meter deposit the city
351 has had for a number of years is not sufficient to even cover even a one month utility bill.
352 If after three years, if a resident pays his or her bill on time and is not late on their bill, the
353 deposit will be credited back to the customer's utility billing account.

354
355 Councilmember Pruitt clarified that this water rate increase will be passing along to our
356 customers the rate increase that the city will be charged by the NTMWD. Councilmember
357 Pruitt generally expressed dissatisfaction with asking residents to conserve water, and,
358 then when they do conserve, they get hit with a rate increase.

359
360 Mayor Sweet opened the public hearing. There being no one wishing to come forth and
361 speak, Mayor Sweet then closed the public hearing.

362
363 Councilmember Lewis made a motion to approve the resolution setting increased water /
364 wastewater rates and meter deposits. Councilmember Milder seconded the motion,
365 which, after additional comments, passed by a vote of 7 ayes to 0 nays.

366
367 6. **Z2013-031 - (Postponed until December 10, 2013 Planning & Zoning**
368 **Meeting)** Hold a public hearing to discuss and consider approval of an
369 ordinance for a request by Shawn Valk on behalf of LGI Properties for the
370 approval of a Specific Use Permit to allow a mini-warehouse facility on a
371 5.94-acre tract of land, zoned Commercial (C) District and located within
372 the Scenic Overlay (SOV) District, being a portion of a 9.699-acre tract
373 land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No.
374 64, City of Rockwall, Rockwall County, Texas; located at the
375 southwestern corner of Ridge Road [FM-740] and Turtle Cove Boulevard,
376 and take any action necessary.

377
378 Councilmember Daniels made a motion to postpone Z2013-031 until December 16. Mayor
379 Pro Tem White seconded the motion, which passed by a vote of 6 ayes with 1 against
380 (Pruitt).

381
382 **XI. ACTION ITEMS**

383
384 1. **MIS2013-008** - Discuss and consider a request for the approval of a
385 special request for the purpose of permitting the construction of a carport
386 that does not conform to the setback and material requirements as

387 stipulated by Section 2.1.2(1) [Carports] of Article IV, Permissible Uses, of
388 the Unified Development Code, for a 0.17-acre property that is identified
389 as Lot 1166 of Rockwall Lake Estates #2 Addition, City of Rockwall,
390 Rockwall County, Texas, is zoned Planned Development District 75 (PD-
391 75), is generally located at 406 Wayne Drive, and take any action
392 necessary.

393 **Planning Director Robert LaCroix provided brief background information related to this**
394 **agenda item. He indicated that the Planning & Zoning Commission did recommend**
395 **approval of this item. The applicant came forth and indicated that he would like to build**
396 **this heavy duty carport in order to cover a new car he recently purchased.**

397 **Mayor Pro Tem White made a motion to approve MIS2013-008. Councilmember Lewis**
398 **seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

399 **2. P2013-032** - Discuss and consider a request by Rich Houston on behalf
400 of R. Fifty Green Homes, LLC for the approval of a preliminary plat for
401 Rockwall Solar Village, containing six (6) single family lots on a 2.055-
402 acre tract of land situated within the Rueben Ballard Survey, Abstract No.
403 29, Rockwall, Rockwall County, Texas; zoned Single Family 7 (SF-7)
404 District, located directly west of the intersection of SH-66 (Williams Street)
405 and Caruth Lane, and take any action necessary.

406 **Planning Director Robert LaCroix provided brief background information related to this**
407 **agenda item. The Park Board made some recommendations regarding land dedications**
408 **and park fees. The Planning & Zoning Commission has recommended approval of this**
409 **item by a vote of 6 to 1.**

410 **Mayor Pro Tem White made a motion to approve P2013-032, including the**
411 **recommendations of the Park Board and P&Z. Councilmember Pruitt seconded the**
412 **motion, which passed by a vote of 7 ayes to 0 nays.**

413 **3. P2013-034** - Discuss and consider a request by Corwin Engineering, Inc.
414 on behalf of the Cambridge Company, Inc. for the approval of a master
415 plat of Phases 1, 2 & 3 of the Rockwall Downs Subdivision, containing 86
416 single family lots on a 35.651-acre tract of land situated within the J. M.
417 Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas; zoned
418 Planned Development District 10 (PD-10), situated within the SH-205 By-
419 Pass Overlay (SH-205 BY OV) District, located adjacent to John King
420 Boulevard north of SH-276 and south of IH-30, and take any action
421 necessary.

422 **Planning Director Robert LaCroix provided background information related to this**
423 **agenda item.**

424 **The applicant came forth to speak.**

425 **Gary Dufrain**
426 **Cambridge Company**
427 **8235 Douglas**
428 **Dallas, TX**

429
430 **Mr. Dufrain indicated that the original zoning goes way back. We are in compliance with**
431 **the zoning ordinance, all staff comments and the Park Board comments. No variances**
432 **are involved. He explained that they are under contract with a single family home**

433 builder. The size of home that will be built is a minimum of 1500 square feet, but the
434 builder is anticipating 2,000-4,000 square foot homes.

435
436 Mayor Pro Tem White made a motion to approve P2013-034. Councilmember Townsend
437 seconded the motion. After additional comments, the motion passed by a vote of 7 ayes
438 to 0 nays.

439
440 4. **P2013-035** - Discuss and consider a request by Corwin Engineering, Inc.
441 on behalf of the Cambridge Company, Inc. for the approval of a
442 preliminary plat for Phases 1, 2 & 3 of the Rockwall Downs Subdivision,
443 containing 86 single family lots on a 35.651-acre tract of land situated
444 within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County,
445 Texas; zoned Planned Development District 10 (PD-10), situated within
446 the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent
447 to John King Boulevard north of SH-276 and south of IH-30, and take any
448 action necessary.

449 Planning Director Robert LaCroix provided background information related to this
450 agenda item.

451
452 Mayor Pro Tem White made a motion to approve P2013-035. Councilmember Townsend
453 seconded the motion, which passed by a vote of 7 ayes to 0 nays.

454
455 5. Discuss and consider re-adoption of an ordinance continuing a curfew
456 for minors under seventeen years of age, and take any action necessary.
457 (1st reading)

458 City Manager Rick Crowley provided brief background information related to this agenda
459 item. Police Chief Mark Moeller explained that in the summer time the curfew is until
460 midnight, seven nights per week. During the school year, the curfew is 11PM during the
461 weeknights and 12 midnight on Friday and Saturday.

462
463 Councilmember Milder made a motion to approve the ordinance as presented.
464 Councilmember Daniels seconded the motion. The motion passed by a vote of 5 ayes
465 with 2 against (Pruitt and White).

466 6. Hear update from the City Council Airport Subcommittee regarding the
467 status of the work of the Airport Advisory Committee and take any action
468 necessary.

469 City Manager Rick Crowley spoke to this agenda item, indicating that a subcommittee of
470 the Council has been working (White, Pruitt and Townsend), in partnership with the
471 REDC, on an airport expansion and development study and plan for the Rockwall
472 Municipal Airport. 90% of the study was funded by TXDOT with 10% of it being paid for
473 by the REDC. The consultant conducted the study and helped the city present it to
474 TXDOT Aviation and the FAA for approval. It includes a 1,000 foot runway, additional
475 aviation improvements and additional land to reroute the adjacent road. This would take
476 the runway from 4,000 to 5,000 feet. The initial study has been presented to TXDOT, and
477 some additional work needs to be done before it can be taken to FAA. Congressman Hall
478 is helping staff with some of this work and associated FAA review.

479 Councilmember Pruitt followed up, indicating that he requested this agenda item as a
480 means by which to provide a status update to the full council related to the work of the
481 council subcommittee. He explained that unless the FAA grants the city various waivers,
482 the city will be unable to do some of the things it wishes to do, such as extending the
483 runway and rerouting Airport Road. If Congressman Hall can assist with getting the
484 appropriate waivers from the FAA and approval from TXDOT Aviation, then the city will
485 be able to extend the runway. He explained that a 'safe zone' at the end of the runway
486 will be necessary upon extension of the runway. If appropriate waivers and approvals
487 are not obtained, the city will need to proceed with making our airport one of the best
488 general aviation airports that we can.

489 Mayor Pro Tem White indicated that after more than two years of work, the city is finally
490 in a position to attempt to get answers from the FAA regarding the possibility of runway
491 expansion. He commented that several companies are looking to Rockwall to possibly
492 relocate or locate their business; however, they are interested in the result of the
493 possible airport expansions / runway extension due to the type of aircraft the airport
494 handles now and would be able to handle, should the city be able to extend it.

495 Mr. Crowley pointed out that what has been proposed to the FAA will also improve safety
496 at the airport.

497 After additional comments, no action was taken by council related to this agenda item.

498 7. Discuss and consider approval of a resolution authorizing the Mayor of
499 the City of Rockwall to order that the City of Rockwall municipal flag be
500 flown at half staff at city facilities in certain circumstances, and take any
501 action necessary.

502 Mayor Sweet offered brief comments, indicating that he requested this item and asked
503 that it be placed on the agenda for consideration. Councilmember Lewis made a motion
504 to approve the resolution. Mayor Pro Tem White seconded the motion, which, after brief
505 comments, passed by a vote of 7 ayes to 0 nays.

506 8. Discuss and consider follow up regarding Neighborhood Improvement
507 Services property maintenance concern, and take any action necessary.

508 Councilmember Daniels placed this item on the council agenda for staff to provide an
509 update to the council. Assistant City Manager Brad Griggs indicated that staff did visit
510 with the resident who had expressed concern about disrepairs at her apartment complex,
511 and staff's work to further evaluate and assist with this effort was already in order and
512 underway by the time we had the council meeting on November 4th. Staff did go out the
513 next day, on November 5th, to evaluate and attempt to address the resident's concerns.
514 Councilmember Daniels indicated that he has known Mr. Griffin, NIS Supervisor, for a
515 number of years and believes him to be a man of integrity and a man who is a
516 compassionate employee who cares about residents' concerns. After brief comments,
517 the council took no action related to this agenda item.

518 9. Discuss and consider approval of the Texas Task Force Urban Search
519 and Rescue Agreement between the City of Dallas and City of Rockwall,
520 authorizing the Mayor and City Attorney to execute the agreement on the
521 city's behalf, and take any action necessary.

522 Fire Chief Mark Poindexter provided background information related to this agenda item.
523

524 Mayor Pro Tem White made a motion to approve the agreement between the City of
525 Dallas and the City of Rockwall related to the TX Task Force Urban Search and Rescue
526 agreement. Councilmember Pruitt seconded the motion, which passed by a vote of 7
527 ayes to 0 nays.

528 **XII. EXECUTIVE SESSION**
529

530 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**
531 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**
532 **CODE:**

- 533 1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of
534 Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section
535 551.071 (Consultation with Attorney)
- 536 2. Discussion regarding securing legal representation from Carrington,
537 Coleman, Sloman & Blumenthal, L.L.P. pertaining to TF-Harbor LLC v.
538 City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to
539 Tex. Gov't. Code, § 551.071 (Consultation with Attorney).
- 540 3. Discussion regarding Economic Development incentives, procedures and
541 possible projects pursuant to Section 551.087 (Economic Development)
- 542 4. Discussion regarding appointments to city regulatory boards,
543 commissions, and committees including the Rockwall Central Appraisal
544 District pursuant to Section §551.074 (personnel matters)

545 **XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**
546

547 **The council did not reconvene into Executive Session at the close of the public meeting.**
548 **See start of the 6:00 p.m. public meeting above for action taken out of the pre-meeting**
549 **Executive Session.**
550

551 **XIV. ADJOURNMENT**
552

553 **Mayor Sweet adjourned the meeting at 8:34 p.m.**
554
555

556 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
557 **TEXAS, this 2nd day of December, 2013.**
558
559

560
561 **ATTEST:**
562

David Sweet, Mayor

563 _____
564 **Kristy Ashberry, City Secretary**

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Cheryl Dunlop
Director, Administrative Services

DATE: November 27, 2013

SUBJECT: City's Employee Health Stop Loss Insurance Renewal

The City self-insures employee health coverage, which provides an opportunity for, cost and benefit management of this important program. One element of the management plan is the *reinsurance/stop loss coverage*, which the City has secured since 1987. Bids for this coverage were received, and the staff and the City's consultant are recommending that the Council authorize the City Manager to execute a renewal contract with **ING** to secure this coverage. This coverage would apply to claims exceeding \$100,000. This is an increase from the previous contract's \$75,000 limit per claimant but results in a savings of more than \$90,000 in premiums to the City for an acceptable level of risk.

Holmes Murphy, the City's consultant secured three bid proposals (including the current provider) and five carriers chose not to bid for this coverage. Renewal with the current provider **ING** results in a *total annual fixed cost* decrease of (-8.2%) and 3.7% increase in *total annualized expected costs* for the 2013 plan year. **ING's** bid provides for the most competitive overall cost and liability to the City. The new contract will provide an aggregating specific deductible, which will save nearly \$87,000, in addition to the other noted savings, when compared to the option of a specific laser on certain claimants due to known claims activity. (column labeled 5 on spreadsheet)

The plan cost projections that are made by the stop loss insurance companies are made up of the following items:

- the actual paid claim experience results for the medical plan during the past 24 months;
- the current enrollment of employees and dependents in each of the three (3) health plan choices (Standard, Premium and Bronze plans);
- the changes in the average age and gender mix of the enrollment this year compared to the prior year;
- any potential large claims that are considered to be ongoing in nature;
- the anticipated health care cost inflationary trend (the estimated charges by health care providers to provide services over the next 12 months compared to those costs for the same services over the previous 12 months).

Council is asked to consider authorizing the City Manager to execute the appropriate contract documents to secure the stop-loss coverage.

City of Rockwall

Stop Loss Analysis

January 1, 2014 Renewal

Assume Core Enrollment in the plan currently

		1	2	3	4	5	6		
Employee	94	Current	Initial Renewal with \$200k Laser	Revised Renewal with \$200k Laser	Option with Aggregating Spec - No laser	No laser	Option with \$200k laser	Option with Aggregating Spec - No laser	No laser
Family	146	ING	Laser	Laser	No laser	ING	ING	No laser	ING
		ISL - \$75,000	ISL - \$75,000	ISL - \$75,000	ISL - \$75,000	ISL - \$75,000	ISL - \$100,000	ISL - \$100,000	ISL - \$100,000
A.M. Best Rating									
GPA Administration Fees*									
Employee	94	\$48.10	\$48.10	\$48.10	\$48.10	\$48.10	\$48.10	\$48.10	\$48.10
Family	146	\$48.10	\$48.10	\$48.10	\$48.10	\$48.10	\$48.10	\$48.10	\$48.10
Medical Excess Transplant Premium									
Employee	94	\$7.46	\$7.94	\$7.94	\$7.94	\$7.94	\$7.94	\$7.94	\$7.94
Family	146	\$17.17	\$18.26	\$18.26	\$18.26	\$18.26	\$18.26	\$18.26	\$18.26
Monthly Administration Costs		\$14,752.06	\$14,956.32	\$14,956.32	\$14,956.32	\$14,956.32	\$14,956.32	\$14,956.32	\$14,956.32
Annual Administration Costs		\$177,024.72	\$179,475.84	\$179,475.84	\$179,475.84	\$179,475.84	\$179,475.84	\$179,475.84	\$179,475.84
Total Annual Administration Costs (Includes Transplant)		\$177,024.72	\$179,475.84	\$179,475.84	\$179,475.84	\$179,475.84	\$179,475.84	\$179,475.84	\$179,475.84
% Change Vs. Current			1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
Maximum Annual Reimbursement		\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Specific Stop Loss Deductible		\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$100,000	\$100,000	\$100,000
Annual Spec Lifetime Limit		Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Contract Type		72/12	84/12	84/12	84/12	84/12	84/12	84/12	84/12
Includes		Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX
Specific Premium									
Single	94	\$68.28	\$81.59	\$78.86	\$78.86	\$99.76	\$57.48	\$57.48	\$71.85
Family	146	\$171.15	\$204.52	\$197.68	\$197.68	\$250.07	\$160.48	\$160.48	\$200.60
Monthly Specific Premium		\$31,406.22	\$37,529.38	\$36,274.12	\$36,274.12	\$45,887.66	\$28,833.20	\$28,833.20	\$36,041.50
Annual Specific Premium		\$376,874.64	\$450,352.56	\$435,289.44	\$435,289.44	\$550,651.92	\$345,998.40	\$345,998.40	\$432,498.00
% Change Vs. Current			19.5%	15.5%	15.5%	46.1%	-8.2%	-8.2%	14.8%
Aggregate Premium									
Composite	240	\$4.20	\$4.20	\$4.20	\$4.20	\$4.20	\$4.20	\$4.20	\$4.20
Monthly Aggregate Premium		\$1,008.00	\$1,008.00	\$1,008.00	\$1,008.00	\$1,008.00	\$1,008.00	\$1,008.00	\$1,008.00
Annual Aggregate Premium		\$12,096.00	\$12,096.00	\$12,096.00	\$12,096.00	\$12,096.00	\$12,096.00	\$12,096.00	\$12,096.00
% Change Vs. Current			0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total Annual Stop Loss Costs		\$388,970.64	\$462,448.56	\$447,385.44	\$447,385.44	\$562,747.92	\$358,094.40	\$358,094.40	\$444,594.00
% Change Vs. Current			18.9%	15.0%	15.0%	44.7%	-7.9%	-7.9%	14.3%
Total Annual Fixed Costs		\$565,995.36	\$641,924.40	\$626,861.28	\$626,861.28	\$742,223.76	\$537,570.24	\$537,570.24	\$624,069.84
% Change Vs. Current			13.4%	10.8%	10.8%	31.1%	-5.0%	-5.0%	10.3%
Contract Type		72/12	84/12	84/12	84/12	84/12	84/12	84/12	84/12
Estimated Aggregate Corridor		125%	125%	125%	125%	125%	125%	125%	125%
Includes		Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX
Run-In Limit									
Aggregate Factors									
Single	94	\$1,087.11	\$1,088.80	\$1,088.80	\$1,088.80	\$1,088.80	\$1,113.56	\$1,113.56	\$1,113.56
Family	146	\$1,087.11	\$1,088.80	\$1,088.80	\$1,088.80	\$1,088.80	\$1,113.56	\$1,113.56	\$1,113.56
Monthly Aggregate Factors		\$260,906.40	\$261,312.00	\$261,312.00	\$261,312.00	\$261,312.00	\$267,254.40	\$267,254.40	\$267,254.40
Annual Aggregate Factors		\$3,130,876.80	\$3,135,744.00	\$3,135,744.00	\$3,135,744.00	\$3,135,744.00	\$3,207,052.80	\$3,207,052.80	\$3,207,052.80
Expected Claims		\$2,504,701.44	\$2,508,595.20	\$2,508,595.20	\$2,508,595.20	\$2,508,595.20	\$2,565,642.24	\$2,565,642.24	\$2,565,642.24
Laser Liability			\$125,000.00	\$125,000.00	\$0.00	\$0.00	\$100,000.00	\$0.00	\$0.00
Aggregating Spec Deductible					\$120,000.00			\$90,000.00	
Total Annualized Maximum Costs		\$3,696,872.16	\$3,902,668.40	\$3,887,605.28	\$3,882,605.28	\$3,877,967.76	\$3,844,623.04	\$3,834,623.04	\$3,831,122.64
% Change Vs. Current		Current	5.6%	5.2%	5.0%	4.9%	4.0%	3.7%	3.6%
Total Annualized Expected Costs		\$3,070,696.80	\$3,275,519.60	\$3,260,456.48	\$3,255,456.48	\$3,250,818.96	\$3,203,212.48	\$3,193,212.48	\$3,189,712.08

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager
FROM: Timothy M. Tumulty, Director of Public Works/City Engineer
DATE: October 25, 2013
SUBJECT: Engineering Flood Study Review Contract

The City of Rockwall's storm drainage system encompasses 14 separate watersheds (52 stream miles) located totally or partially within the corporate limits of the City. These watersheds have been analyzed for existing and fully developed conditions. Whenever a development occurs that potentially impacts any floodplain area, development standards requires a registered engineer to perform a flood study to determine the impacts to the floodplain and an engineering solution that minimizes the increase of water surface elevations and velocities. The City uses a private consultant to perform this review to verify City requirement compliance. In August, a flood study review fee was implemented by the City for developments requiring a flood study to recoup our review cost.

Staff recommends the approval of the engineering services contract with Hydrological Support Services, LLC in an amount not to exceed \$40,000.00. This firm prepared the City's Master Drainage Study and provided reviews of developer required flood studies in the past.

Funding will be provided from the FY 2013-14 Department Operations Budget and developer reimbursement. If you have any questions, please advise.

TMT:em

Attachment

Cc: Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
File

STATE OF TEXAS



COUNTY OF ROCKWALL

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and HydroLogical Support Services, LLC, ("ENGINEER"), located at 2027 Statler Drive, Carrollton, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for Miscellaneous Consulting Services.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed forty thousand dollars (\$40,000.00) and billed as an hourly basis per rates provided in Exhibit "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Exhibit "C". In the event of termination, Engineer will assist the CITY in

arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will

STATE OF TEXAS



COUNTY OF ROCKWALL



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Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

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As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will

be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – \$100,000.00
Bodily Injury by Disease - \$500,000 (policy limits)
Bodily Injury by Disease - \$100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

\$2,000,000.00 General aggregate limit

\$1,000,000.00 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

\$1,000,000.00 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars (\$1,000,000) annual aggregate, on a claims made basis for a period of two years after termination of this contract, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR EMPLOYEES OR ANYONE FOR WHOM THE ENGINEER IS LEGALLY LIABLE FOR, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS (\$1,000,000.00). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
City Manager
City of Rockwall
City Hall
385 S. Goliad
Rockwall, TX 75087

Engineer
HydroLogical Support Services, LLC
Attn: Dwayne Stubblefield

P.O. Box 111666
Carrollton, TX 75011
Deliveries:
HydroLogical Support Services, LLC
Attn: Dwayne Stubblefield, President
2027 Statler Drive
Carrollton, TX 75007

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 1st day of November 2013.

By: Dwayne Stubblefield
Name: Dwayne Stubblefield, P.E.
Title: President, HydroLogical Support Services, Inc.

EXECUTED in triplicate originals on this ____ day of _____ 2013.

ATTEST:

City of Rockwall, Texas

Richard Crowley, City Manager

EXHIBIT "A"

HydroLogical Support Services, LLC

Scope of Services

Miscellaneous Consulting Services

The scope of services for this contract is for HydroLogical Support Services, LLC (HSS) to provide miscellaneous consulting services on an as-needed basis for issues related to stormwater and other water resources matters, which may be requested from time to time by, or approved by, the City of Rockwall's City Engineer/Public Works Director, or by the City Engineer's/Public Works Director's representative(s) or assistant(s). Such services are anticipated to typically consist of the following:

1. Review of proposed development projects and other proposed construction within the City on issues related to drainage, flood hazard potential, and regulatory issues, and provide review comments to the City.
2. Consultation or coordination with project owners and their representatives, and provide readily-available City data and other information pertinent to general location of their proposed or existing projects.
3. Provide opinions, advice, recommendations and other miscellaneous assistance to the City regarding drainage, flood hazard protection, and regulatory issues related to water resources.
4. Other miscellaneous services as requested by the City and agreed by HSS provided that such services are within the field of expertise of HSS.

Exclusions: Engineering design, design plans, construction plans, construction inspection, construction administration, surveying, geotechnical services, environmental services, groundwater services, water quality services, and any other services which are not within the field of expertise or services offered by HSS are specifically excluded from this scope of services.

This scope of services is to be provided on a time and materials cost basis in accordance with attached rate schedule (Exhibit "B"). The termination date of this contract is September 30, 2014, unless agreed in writing by both parties to extend this contract, or unless either party gives notice to other party to terminate this contract prior to this termination date.

EXHIBIT "B"

HydroLogical Support Services, LLC

Special Rate Schedule and Compensation for Miscellaneous Consulting Services for the City of Rockwall, Texas

Personnel costs for time-and-materials services will be invoiced on an hourly basis in accordance with the following rate schedule:

Principal Engineer	\$158 - 195/hr
Senior Engineer	\$135 - 175/hr
Project Engineer	\$ 85 - 145/hr
Engineer-in-Training	\$ 55 - 95/hr
CADD Support/Technician	\$ 45 - 95/hr
Clerical/Administrative Support	\$ 28 - 55/hr

Rates for expert consulting, witness, and/or testimony services related to depositions, court hearings, arbitration dispute negotiations, meetings with opposing parties, and preparation with legal representation for deposition and/or trial are billed at personnel costs plus 35% and include all time away from the office on the date(s) of such services on behalf of the client. Personnel rates are effective through September 30, 2014, and may be renegotiated for services performed thereafter.

Non-labor expenses (including sub-contractual services, if any) will be invoiced at cost plus 8%. Mileage costs will be at the same rate as established by the Internal Revenue Service at the time of occurrence. In-office black-and-white photocopies directly related to a project or task and exceeding more than 50 pages will be at a cost of 10 cents each. Color copies will be at a cost of 25 cents each for 8.5x11 size and 50 cents each for 11x17 size.

Invoices will be submitted to the City typically at the end of the month and on a monthly basis. However, the final invoice will be submitted upon termination of this contract. Payment for each invoice is due "net 30" days following date of the invoice. Delayed payment of any invoice may result in delays of the contracted services (Exhibit "A").

Unless otherwise agreed in writing to extend this contract, or unless either party to this contract gives notice to terminate, this contract will terminate on September 30, 2014.

EXHIBIT "C"

HydroLogical Support Services, LLC

Term of Agreement and

Schedule for

Miscellaneous Consulting Services

The term of this agreement shall commence upon execution of the agreement by both parties and will extend through September 30, 2014, unless otherwise terminated or extended as agreed in writing. Consulting services listed in Exhibit A will be scheduled on an as-needed basis during the term of contract and any extension as agreed. Consulting services will end immediately upon termination of the contract.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/29/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER McLaughlin Brunson Insurance Agency, LLP 12801 North Central Expressway Suite 1710 Dallas TX 75243	CONTACT NAME: Joe A Bryant PHONE (A/C, No, Ext): (214) 503-1212 E-MAIL ADDRESS:	FAX (A/C, No): (214) 503-8899
	INSURER(S) AFFORDING COVERAGE	
INSURED Hydrological Support Services, LLC P. O. Box 111666 Carrollton TX 75011	INSURER A: XL Specialty Insurance Company NAIC # 37885	
	INSURER B: Charter Oak Fire Insurance Co. NAIC # 25615	
	INSURER C: Travelers Lloyds Ins. Company NAIC # 41262	
	INSURER D: Graphic Arts Mutual Insurance Co NAIC # 25984	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** Cert ID 22351 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	<input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	Y	Y	PACP6A350909	9/21/2013	9/21/2014	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC						
B	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS	Y	Y	BA6A351168	9/21/2013	9/21/2014	<input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION S						
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	4464958	9/21/2013	9/21/2014	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
	A Professional Liability	N	Y	DPS9711658	9/21/2013	9/21/2014	Per Claim/Annual Aggregate \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 The claims made professional liability coverage is the total aggregate limit for all claims presented within the annual policy period and is subject to a deductible. City of Rockwall, Texas, its City Council members and employees are shown as additional insureds on the general and auto liability coverages as required by contract. A waiver of subrogation of the additional insured is shown on all policies.

CERTIFICATE HOLDER
 City of Rockwall, Texas
 385 S. Goliad
 Rockwall TX 75087
CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 13-45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 38. SUBDIVISIONS, ARTICLE I. IN GENERAL, SECTION 38-23. STANDARDS FOR DESIGN OF DEVELOPMENT WITHIN SUBDIVISIONS ADOPTED TO AMEND THE CITY OF ROCKWALL'S SUPPLEMENTAL SPECIAL PROVISIONS TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, NORTH CENTRAL TEXAS, 3RD EDITION; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Subdivisions Regulations of the City of Rockwall, as heretofore amended, by amending Section 38-23, Standards for Design of Development Within Subdivisions Adopted ; is hereby amended as follows:

D. The Standard Specifications for Public Works Construction, North Central Texas, 3rd Edition, 1998, Section II, Division 4000 as noted in the City of Rockwall's supplemental Special Provisions, are revised to read as follows:

I. SEWER MAIN AND SERVICE PIPE (Gravity Flow Only)

ASTM D3034 SDR-35 PVC 4" to 15" Diameter (Green in color)

ASTM D3034 SDR-26 PVC 18" to 30" Diameter and for any sewer line installed 10' and deeper (Green in color)

ASTM D3262 Fiberglass Sewer Pipe 18" to 54" and ASTM 4161 Fiberglass Fittings (must submit thickness design for wall thickness calculations) Approved Manufactures for Fiberglass Pipe and fitting are Hobas Pipe, US Composite Pipe South and Ameron International.

II. MANHOLE PIPE CONNECTORS

Link-Seal

A-LOC

KOR-N-SEAL – 306 Series By National Pollution Control Systems Inc.

PS (Press-Seal) – PSX: Direct Drive

III. SANITARY SEWER MANHOLE LIDS AND RINGS

Pamrex with Lock

East Jordan Iron Works 30" ERGO XL with Camlock Security closing device, MPIC Pick slot, elastomer T-Gasket in lid and infiltration plugs at the hinges. – Product No. 00148026L01

East Jordan Iron Works 24" ERGO with Camlock Security closing device, MPIC Pick slot,

elastomer T-Gasket in lid and infiltration plugs at the hinges – Product No. NPR10-1213A (for retrofit work only).

IV. MANHOLE COATINGS (No dark colors allowed)

Raven 405 (125 mils thick)-light blue colored only

ConShield-terra cotta colored only (must be spark tested per NACE International Standard)

V. GEOTEXTILE MATERIAL (installed under precast manholes)

Mirafi 140N

Geotex 401

VI. MANHOLE GRADE RINGS

HDPE Adjustment Rings by Ladtech Inc.

ARPRO Expanded Polypropylene, ASTM D3575, by Cretex Seals

East Jordan Iron Works Infra-Riser.

VII. PRE-CAST MANHOLE GASKETS

Hanson – CR 097

Hydroconduit – Profile

VIII. MANHOLE CHIMNEY SEALS AND RING & COVER SEALING SYSTEMS:

Cretex with stainless steel self locking bands. (interior & exterior)

Riser Wrap by PSI

IX. MANHOLE DROP BOWL

Reliner / Duran Inc., Inside Drop Bowl with Stainless Steel anchor assemblies

Approved Equal

X. CLEANOUT

Bass & Hays 404 Lateral Cleanout with lid and gasket

Bass & Hays 339 Sanitary Sewer Cleanout Boot

XI. DOUBLE CLEANOUT METER BOX

Bass & Hays 3-LID2 (Sewer)

Approved Equal

XII. THREADED ANCHOR

Hilti – KB3-SS304 5/8" anchor bolts or equal

Stainless Steel all thread 5/8" (embedded min 4-1/2" into cone with a epoxy or Wedge-it)

Simpson Strong Tie – Strong-Bolt 5/8"

XIII. FORCE MAIN PIPE

AWWA C-905 pipe, green colored

XIV. AIR RELEASE VALVE

Vent-O-Mat Anti-Shock Air Release and Vacuum Break Valves

Approved Equal

XV. ISOLATION GATE VALVE

American-Series 2500 2"-12" Resilient Wedge Gate Valves with Flanged Ends

Approved Equal

NOTE: All exposed Stainless Steel Bolts and Nuts must be coated with approved anti-seize compound: Permatex Nickel Anti-Seize or approved equal.

Section 2. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 3. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Subdivision Regulations of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 4. This ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this ordinance.

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of December, 2013.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 11-18-13

2nd Reading: 12-02-13

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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Richard Crowley, City Manager

FROM: Lea Ann Ewing, Purchasing Agent

DATE: November 19, 2013

SUBJECT: Purchase of 2014 Model Police Pursuit Vehicles

Five (5) new SUV's and five (5) new pursuit sedans are approved in the current Patrol budget. Also approved in the budget are the purchase and install of safety equipment for these 10 vehicles. Bids are as follows:

	<u>Vehicle Cost</u>	<u>Ext. Cost</u>	<u>Approved Funding</u>
Police Pursuit			
5 ea – Chevrolet Tahoe	28,915	144,575	General Fund Reserves
5 ea – Dodge Charger	24,750	123,750	General Fund Reserves

Note: In addition to the purchase price of these vehicles, we will buy an equipment package costing \$17,000 for each Tahoe and \$7,000 for each Dodge. Equipment includes the purchase of lights, decals, console, microphones, gun racks, power pack, mounting brackets and installation of these items as well as wiring for and install of the radio, audio video system and computer. Total cost of equipment is estimated to be \$120,000. This equipment will be purchased and installed once we receive the vehicles.

The Tahoe is available from Caldwell County Chevrolet through the Texas Association of School Boards (Buy Board) purchasing cooperative contract #358-10.

The Dodge Charger is available from Dallas Dodge through Houston-Galveston Area COG purchasing cooperative contract #VE11-11a.

The City is a member of numerous purchasing cooperatives, the two mentioned above as well as the GSA, TIPS/TAPS, Texas Correctional Industries, Collin County, Dallas County, US Communities, City of Plano, City of Lewisville, and City of Bedford. We have participated and purchased vehicles and equipment through these purchasing cooperatives for many years. The advantage of participating in these programs affords the City additional discounts through economy of scale. As a member and participant in these programs, the City has met all formal bidding requirements pertaining to the purchase of these new vehicles.

Staff recommends the purchase of the vehicles as described above and authorize the City Manager to execute Purchase Orders for a total bid award of \$268,325. Funded from General Reserves.

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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Rick Crowley, City Manager
FROM: Lea Ann Ewing, Purchasing Agent
DATE: November 19, 2013
SUBJECT: Purchase of new E-Citation software and hardware

Approved in the current budget is the replacement of the Police mobile e-citation (hand-held electronic ticket writers) system. The current e-citation application is an Advanced Public Safety (APS) product and was purchased in 2006 as part of the Municipal Court software upgrade to Incode (Tyler Technologies).

The new e-citation software now preferred by Incode is Brazos Technology. The new system, including software applications, 18 new hand-held units with printers will cost \$86,257. Brazos Technology has a solution that allows our IT personnel to upgrade all mobile devices at once without having to put hands on each unit which is required by APS. Brazos will also allow us to do vehicle impound/tow sheets, accident reports, and provide accident report access to our citizens rather than through a separate provider.

Brazos Technology, under contract #GS-35F-0096X, is a vendor on the General Services Administration of the Federal Gov't. (GSA) schedule of computer and IT software and hardware of which State and local governments may now purchase from these contracts through Cooperative Purchasing. As a member of the State of Texas purchasing cooperative program, we may purchase Brazos products at the discounted GSA price and also meet the formal bidding requirements for this type of purchase.

Initially we will pay for this equipment with General Fund Reserves. A court technology fee is assessed on each municipal court case. As funds are accumulated by this fee, the General Fund will be repaid through an annual transfer. Staff recommends the purchase of this new e-citation system as described above and authorize the City Manager to approve a Purchase Order for a total bid award of \$86,257.

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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Rick Crowley, City Manager
FROM: Lea Ann Ewing, Purchasing Agent
DATE: November 25, 2013
SUBJECT: Purchase of New Service Trucks for Parks Dept.

Two (2) new service trucks were approved in this year's Parks Department operating budget. We will be replacing Unit #163 service truck and the inmate labor Van. Both are 2000 model vehicles with extensive wear and tear and high mileage.

Requested are Ford F250 trucks with utility bed from Caldwell Country Ford through the Texas Association of School Boards (Buy Board) purchasing cooperative contract #358-10.

The City is a member of numerous purchasing cooperatives, the one mentioned above as well as the GSA, TIPS/TAPS, Texas Correctional Industries, Collin County, Dallas County, US Communities, City of Plano, City of Lewisville, and City of Bedford. We have participated and purchased vehicles and equipment through these purchasing cooperatives for many years. The advantage of participating in these programs affords the City additional discounts through economy of scale. As a member and participant in these programs, the City has met all formal bidding requirements pertaining to the purchase of these new vehicles.

Staff recommends the purchase of the vehicles as described above and authorize the City Manager to execute a Purchase Order for a total bid award of \$55,142. Funded from General Reserves.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Joey Boyd, Director of Internal Operations

DATE: November 25, 2013

SUBJECT: Bid and Purchase of Fuel Truck for Ralph M. Hall Municipal Airport

The Airport currently offers two types of aviation fuel – Avgas and Jet A. Avgas is pumped either from the underground storage tank or from the mobile fuel truck, which the city owns and loans to the existing FBO as part of the current agreement.

Jet A fuel is only pumped from a mobile fuel truck, which is owned by the existing FBO. A mobile fueling truck is the only way the City can provide jet fuel to its customers since the Airport does not have an onsite storage tank for jet fuel.

The City is currently evaluating its options for Fixed Base Operator services at the Ralph M. Hall / Rockwall Municipal Airport. If the City chooses not to proceed with the current FBO, the truck currently used will not be available and it might be difficult for a new FBO to purchase such an expensive piece of equipment.

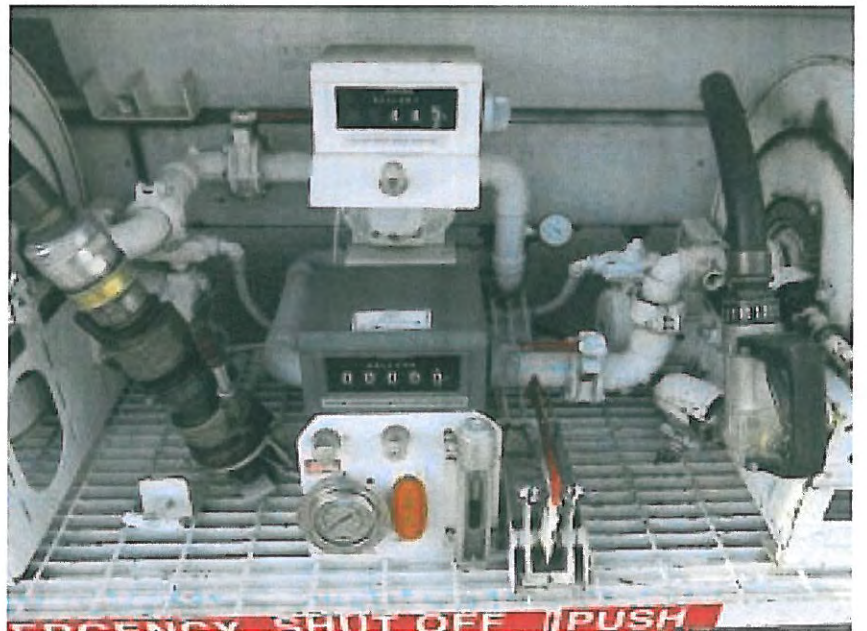
Through staff's research, we have found a used jet fuel truck currently up for auction on Rene Bates Auctioneers website. This is the same site Rockwall uses to auction its used equipment, vehicles, etc. The truck is being sold by the City of Mineral Wells and has been used at its municipal airport for several years. The Mineral Wells Airport recently purchased a new Jet A fuel truck.

The truck is 1989 Chevrolet C70 Aviation Fuel Tanker Truck, 350 Chevrolet Gas engine, manual transmission, bench seats, no A/C, but has power steering and power breaks, has 81,000 miles, and has a 2,200 gallon fuel tank. The City of Mineral Wells has a minimum bid requirement of \$5,000.00 on the truck.

I went to the Mineral Wells Airport on Tuesday, November 26th with Mike McCarty from Bassco Services. Bassco did the repair work earlier this year on the City's avgas truck at the airport. Based on his assessment, the minimum bid of \$5,000 is a reasonable request

by the City of Mineral Wells for the truck. It's likely the City of Rockwall will need to hire Bassco to perform some maintenance and minor repairs before it is put into service at the Airport.

The auction closes at 2pm on Wednesday, December 4, 2013. The request is to authorize the City Manager to bid on the truck and purchase it should it be the winning bid for an amount not to exceed \$10,000.00. Since this is currently unfunded in the Airport Operating Budget, it is proposed that the funds be taken from General Fund Reserves.



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City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor & City Council Members
FROM: Kristy Ashberry, City Secretary
DATE: November 27, 2013
SUBJECT: Interlocal agreement w/ Rck. County Re: Subdivision Regulations in ETJ

This interlocal agreement has been reviewed by City Attorney Frank Garza and is being placed on the December 2nd Consent Agenda for council consideration of approval. The agreement has already been approved by the Rockwall County Commissioners Court. Should the Rockwall City Council approve the agreement on 12/02, upon execution, it will be effective January 1, 2014

**INTERLOCAL COOPERATION AGREEMENT BETWEEN
ROCKWALL COUNTY AND THE CITY OF ROCKWALL FOR
SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL
JURISDICTION OF THE CITY OF ROCKWALL**

THIS INTERLOCAL COOPERATION AGREEMENT ("Agreement") executed by and between Rockwall County, Texas, a political subdivision of the State of Texas (hereinafter referred to as "County"), and the City of Rockwall, a municipal corporation of the State of Texas (hereinafter referred to as "City"), dated Nov. 12, 2013, is made pursuant to Tex. Loc. Gov't Code Ch. 242.

WHEREAS, the Agreement is in accordance with the requirements of Tex. Loc. Gov't Code Chapter 242, which requires that the City and the County enter into a written agreement pertaining to regulation of subdivision plats in the Extraterritorial Jurisdiction ("ETJ") of the City; and

WHEREAS, the City and the County believe it is in the best interest of both entities to combine their respective procedures into one seamless operation with each retaining certain responsibilities as hereinafter provided in this Agreement; and

NOW, THEREFORE, in order to carry out the intent of the Parties as expressed above, and for and in consideration of the mutual promises contained herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged by both Parties, the County and the City agree as follows:

Article I. PURPOSE

- 1.01** The purpose of this Agreement is to establish and clarify each Party's obligations, costs, and the manner and method of approving subdivision plats for real property located within both the County and the ETJ of the City.
- 1.02** The ETJ of the City may fluctuate from time to time during the term of this Agreement as a result of City Council action. The City agrees to notify the County in writing within 10 days of any and all City Council action that changes the ETJ during the term of this Agreement thereby affecting subdivision platting for real property within the boundaries of the County.

Article II. TERM OF AGREEMENT

- 2.01** This Agreement shall be effective on January 1, 2014 and shall have an initial termination date of December 31, 2014. Thereafter, the Parties shall renew the Agreement on an annual basis. The annual renewal shall be automatic upon the expiration of the preceding one (1) year term unless one of the Parties gives the other Party written notice of its desire not to renew

the Agreement at least ninety (90) days prior to the expiration of the then current term.

- 2.02** Any notice of intent to terminate must be delivered by deposit in the United States mail, certified, return mail receipt requested, to the other Party at the addresses set out herein. Upon termination of this Agreement, neither party will have any obligations to the other party under this Agreement, except with respect to payment for services already rendered under this Agreement, but not yet paid.

Article III. COUNTY RESPONSIBILITIES

- 3.01** The County assigns and delegates to the City the County's authority to approve subdivision plats and to issue related permits under Tex. Loc. Gov't Code Chapters 212 and 232 within the ETJ of the City, pursuant to Tex. Loc. Gov't Code Section 242.001(d), so that, except as otherwise provided in this Agreement, the City has exclusive jurisdiction to regulate subdivision plats and approve related permits in the City's ETJ utilizing the City's subdivision procedures.
- 3.02** The County will continue to administer and enforce County on-site sewage facility regulations in proposed and platted subdivisions in the City's ETJ; provided, however, that the County will reject as incomplete any application for an on-site sewage facility which is not accompanied by a plat application accepted by the City or a statement that the application is not associated with any development activity requiring approval of a subdivision or development plat.
- 3.03** This Agreement does not affect flood plain enforcement outside of the City Limits. The County will continue to be responsible for floodplain enforcement within the ETJ according to the County's Subdivision Rules and Regulations.
- 3.04** The County will continue to be responsible for accepting all public improvements that are located in the ETJ and are to be maintained by the County. The dedication and acceptance of the public improvements by the County must adhere to the County's Road Acceptance Procedures set forth in the County's Subdivision Rules and Regulations and the Unified Regulations attached hereto as Exhibit "A" and incorporated by reference herein.
- 3.05** The County agrees that it will not accept for filing any applications for plat approval for land within the City's ETJ following the effective date of this Agreement.

Article IV. CITY RESPONSIBILITIES

- 4.01.** The City will enforce its subdivision regulations and Unified Regulations, including design and construction standards, within its ETJ.
- 4.02.** The City and the County agree that the Unified Regulations shall be applied exclusively in the review of proposed plats in the City's ETJ. If either party wishes to propose revisions in the future to the Unified Regulations, the proposing party will notify the other party of the proposed change(s). The parties will cooperate in determining the need for the changes, and will adopt any change agreed to by amendment of the Agreement, as amended, by their respective governing bodies.
- 4.03.** The City agrees to require developers to dedicate public right-of-way pursuant to the Rockwall County Transportation Plan ("County Plan"), as currently adopted or as may be amended in the future, subject to applicable constitutional and statutory limitations for subdivisions. When it appears to the City that a requirement for dedication of right-of-way pursuant to the County Plan may exceed an applicable constitutional or statutory limitation, or if there is a conflict between the County Plan and the City of Rockwall Thoroughfare Plan, the City will notify the County, and the parties will cooperate to determine the extent of right-of-way dedication to be requested, or an alternative method of securing the needed right-of-way.
- 4.04.** Where a dedication or construction requirement is to be imposed, the City, in consultation with the County, will make an initial determination of proportionality. If the applicant appeals the proportionality determination in accordance with procedures set out in the City's subdivision regulations, the City will make the final determination, again, in consultation with the County.
- 4.05.** The City will notify the County upon the filing of all applications for approval of final plats. A copy of the final plat and any engineering plans will be sent to the County within ten (10) days of filing with the City for the County's review and comment. The City will make every reasonable effort to notify the County of the final action taken by the City on the application, whether approved or denied, within three (3) working days, but no later than fifteen (15) days of the City's action.
- 4.06.** If an applicant requests an exception from any standard in the City's subdivision regulations, the City will bring the request before the County for review. Any variance from the City's subdivision regulations to be enforced in the ETJ must receive approval by the Commissioners Court prior to the City taking action on the plat application. Plat approval also shall be conditioned on: 1) formation of property owners associations for maintenance of any facilities not normally maintained by the County; and 2) upon provision of security instruments assigned to the County in the event

that the applicant seeks final plat approval before construction and acceptance of capital improvements.

- 4.07.** The City will deliver two copies of all recorded plats for subdivisions within the City's ETJ to the County within ten (10) working days of the recording of the subdivision plat. For all subdivisions containing more than five (5) lots, the City will also provide to the County a digital file of the subdivision plat including at least two (2) ground control GPS points in a format approved by the County.
- 4.08.** The City will confer with the Rockwall County 911 addressing Division in determining street names prior to final plat approval.
- 4.09.** The City and County inspectors will have access to construction sites of subdivisions within the ETJ and the City will timely submit copies of all road design materials and road construction test results to the County during road construction. City inspectors will have inspection and approval authority over the road construction, storm water drainage construction, and on non on-site wastewater facility construction within the right-of-way and easements. The County may request that the City issue a stop-work notice if the applicable construction standards are not being met. The City will take all reasonable actions, including a stop-work order, to ensure that applicable construction standards are met, as deemed necessary by the City. The City will notify the County when construction of public improvements is completed for final acceptance by the County.
- 4.10.** The City will collect all fees and charges involved with the approval of subdivision plats, including but not limited to engineering reviews, inspections of public improvements, but not including costs associated with applications for variances or exceptions to on-site sewer facilities to be reviewed and permitted by the County, under this Agreement.
- 4.11.** As an attachment to this Agreement, the City will provide a current map defining the legal boundaries of its corporate limits and areas of ETJ. The City will notify the County of any changes to the City's ETJ within ten (10) days of the effective date of the change, and the area covered by this Agreement will be amended accordingly. A change in the area covered by the Agreement will not, however, affect any rights accrued under Tex. Loc. Gov't Code Chapter 245 prior to the effective date of the change.
- 4.12.** The plats which will be subject to this Agreement are those that will be filed after the effective date of this Agreement. If the ETJ is expanded or reduced, plats must be filed with the party who has jurisdiction as defined by this Agreement.

Article V. GENERAL PROVISIONS

- 5.01. General Administration:** The County and the City will designate their respective representatives for the general administration of this Agreement.
- 5.02. Alteration, Amendment or Modification:** This Agreement may not be altered, amended, or modified, except in writing and signed by all parties to this Agreement.
- 5.03. Notice:** All notices sent pursuant to this Agreement will be in writing and must be sent by registered or certified mail, postage prepaid, return-receipt requested.

Notices sent pursuant to this Agreement will be sent to the Rockwall County Judge's Office at the following address:

*County Judge
Rockwall County Judge's Office
101 Rusk Street, Room 202
Rockwall, Texas 75087*

Notices sent pursuant to this Agreement may be delivered or sent to the City at the following address:

*City Manager
City of Rockwall
385 South Goliad
Rockwall, Texas 75087*

When notices sent pursuant to this Agreement are mailed by registered or certified mail, notices will be deemed effective three (3) days after deposit in a U.S. mail box or at a U.S. post office.

- 5.04. Severability:** If any provision of this Agreement is found to be invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability will not affect the remaining provisions of this Agreement.
- 5.05. Breach:** The failure of either party to comply with the terms and conditions of this Agreement will constitute a breach of this Agreement. Either party will be entitled to any and all rights and remedies allowed under Texas law for any breach of this Agreement by the other party.
- 5.06. Non-Waiver:** The waiver by either party of a breach of this Agreement will not constitute a continuing waiver of such breach or of a subsequent breach of the same or a different provision. Nothing in this Agreement is intended

by either party to constitute a waiver of any immunity from suit or liability to which it is entitled under applicable law.

- 5.07. Entire Agreement:** This Interlocal Cooperative Agreement constitutes the entire Agreement between the County and the City. No other agreement, statement, or promise relating to the subject matter of this Agreement and which is not contained in this Agreement or incorporated by reference in this Agreement will be valid or binding.
- 5.08. Terms used in Document:** As used in this Agreement, the terms "Interlocal Cooperation Agreement", "Interlocal Agreement", "Agreement", and "Contract" are synonymous.
- 5.09. Non-Defined Terms:** If not specifically defined in this Agreement, words and phrases used in this Agreement will have their ordinary meaning as defined by common usage.

EXECUTED THIS 12 day of November 2013.

Rockwall County

By: J. H. Hogan
Honorable Jerry Hogan
Rockwall County Judge

Attest:

Felicia Morris Date: 11-12-13
Felicia Morris, Court Administrator

EXECUTED THIS _____ day of _____ 2013.

City of Rockwall

By: _____
Rick Crowley, City Manager

Attest:

Kristy Ashberry, City Secretary

Date: _____

EXHIBIT A

UNIFIED REGULATIONS FOR REVIEW OF PLATS IN ETJ OF CITY OF ROCKWALL

1. The standards and procedures contained in the City of Rockwall Subdivision Regulations enacted by Ordinance No. 78-20, as amended before or upon the Effective Date of the Agreement, codified as sections 24-1 through 24-62 of the City Code of Ordinances, and which hereby are incorporated by reference for all purposes, shall apply exclusively to the review of all plat applications in the City's extraterritorial jurisdiction, with the exceptions contained in paragraph 2 of these Unified Regulations.
2. The following additional provisions, which are derived from the Rockwall County Subdivision Rules and Regulations, enacted by Order of May 29, 2007, as amended before or upon the Effective Date of the Agreement, and which hereby are incorporated by reference for all purposes, shall apply:
 - a. **Road specifications for residential streets by lot size.**
 - (1) Residential streets, where all lots are 1.5 acres or greater in size, shall have a minimum right-of-way of sixty (60) feet, unless additional right-of-way is needed for maintenance or drainage purposes; and a minimum pavement width of twenty-six (26) feet.
 - (2) Residential streets, where any lot is less than 1.5 acres but greater than .75 acres in size, shall have a minimum right-of-way of seventy (70) feet, unless additional right-of-way is needed for maintenance or drainage purposes; and a minimum pavement width of thirty-six (36) feet.
 - (3) Residential streets, where any lot is .75 acres in size or less, shall have a minimum right-of-way of seventy-five (75) feet, unless additional right-of-way is needed for maintenance or drainage purposes; and a minimum pavement width of forty-four (44) feet.
 - b. **Minimum lot size.** For development relying upon on-site sewage facilities for wastewater disposal, the minimum lot size shall be 1.5 acres. This minimum lot size shall not include any right-of-way, drainage easement, utility easement, or floodplain area. The minimum lot frontage shall not be less than one hundred fifty (150) feet at the building line.
 - c. **Building set-back.** Building and setback lines shall be fifty (50) feet from the edge of the right-of-way on all streets and roads. No

buildings shall be constructed closer than fifteen (15) feet from side or rear property lines. Building and setback lines shall be shown on both the preliminary and final plats.

3. The design and construction standards and guidelines contained in the City of Rockwall Standards of Design and Construction, as approved by Ordinance No. 03-27, as heretofore or hereafter amended, which hereby are incorporated by reference for all purposes, shall apply exclusively to the review of all plat applications and construction plans in the City's ETJ, with addition of the following sections to the Standards derived from Rockwall County specifications:

- a. **Residential Streets in the ETJ.** The following standards apply to residential streets in the City's ETJ:

- (1) Where all lots are 1.5 acres or greater in size, the minimum right-of-way shall be sixty (60) feet, unless additional right-of-way is needed for maintenance or drainage purposes; and minimum pavement width shall be twenty-six (26) feet, with six (6) inches of 3600 psi reinforced concrete, as per City standards. Subgrade shall be stabilized with seven percent (7%) lime to a depth of six (6) inches, thirty (30) feet in width.

- (2) Where any lot is less than 1.5 acres but greater than .75 acres in size, the minimum right-of-way shall be seventy (70) feet, unless additional right-of-way is needed for maintenance or drainage purposes; and minimum pavement width shall be thirty-six (36) feet, with eight (8) inches of 3600 psi reinforced concrete, as per City standards. Subgrade shall be stabilized with seven percent (7%) lime to a depth of six (6) inches, forty (40) feet in width.

- (3) Where any lot is .75 acres in size or less, the minimum right-of-way shall be seventy-five (75) feet, unless additional right-of-way is needed for maintenance or drainage purposes; and minimum pavement width shall be forty-four (44) feet, with eight (8) inches of 3600 psi reinforced concrete, as per City standards. Subgrade shall be stabilized with seven percent (7%) lime to a depth of six (6) inches, forty-eight (48) feet in width.

- b. **Road Acceptance in ETJ.** All conditions of the Final Plat must be met. Acceptance of streets and alley improvements shall be evidenced by approval of the City of Rockwall Engineering Department and by an instrument approved by the Rockwall County Commissioners Court in accordance with the Rockwall County Subdivision Rules and Regulations.

No acceptance will be considered by the County until the County's Designated Agent receives a certificate from the City of Rockwall Engineering Department, certifying that all improvements have been completed in accordance with the approved construction plans. All costs associated with furnishing the necessary certificate shall be borne by the Subdivider.

c. Storm Drainage in the ETJ.

(1) Roads with Side Ditches.

- a. Side road ditches shall be designed to carry the 100-year developed flow and shall have a maximum side slope of 5:1.
- b. Cross road culverts shall be designed to carry the 100-year developed flow.
- c. Drainage channels shall be designed to carry the 100-year developed flow.
- d. The entire subdivision shall be designed so that no flooding of buildings or parking lots shall occur with the 100-year developed flow. The finished floor of buildings are to be a minimum of two (2) feet above the 100-year ultimate (developed) floodplain elevation. Parking lots shall be a minimum of one (1) foot above the 100-year ultimate (developed) floodplain elevation.

(2) Drainage Easements.

- a. The area identified as a drainage easement shall be subtracted from the raw lot size in determination of acceptable lot size for construction.
- b. Drainage easements shall generally be located along the existing drainage way.
- c. Open channels with top widths from zero (0) to fifty (50) feet require top width plus twenty-five (25) feet.
- d. Open channels with top widths greater than fifty (50) feet require top width plus twenty-five (25) feet per side.
- e. Enclosed pipes require twenty (20) feet minimum width.
- f. All easements shall be so designed to allow maintenance equipment to enter the easement for performance of necessary work.

(3) Lots in floodplains. For subdivisions that are located in a flood zone, as shown on the current Flood Insurance Rate Map (FIRM) for Rockwall County, the applicable minimum lot size shall be calculated by subtracting from the proposed lot size any land in the floodplain. Neither the City nor the County shall have

responsibility to provide and maintain drainage for the purpose of flood damage reduction on individual private lots located in the floodplain.

d. Private Utilities in ETJ.

(1) Size and Location: Utility easements shall be a minimum of fifteen (15) feet in width, and normally located along a property or lot line. It shall be the duty of the Subdivider to insure that all easements are of the proper width and location to serve the using utility companies. Utility lines crossing a road shall be installed a minimum of thirty-six (36) inches below the ditch line. All lines must be encased in steel pipe or concrete a minimum of two (2) feet beyond ditch line.

(2) Private Mailboxes.

a. Community Mailboxes. For purposes of public safety, use of clustered or community mail facilities should be used whenever possible to reduce collision hazards.

b. Mailbox Placement. Mailboxes shall be set a minimum of three (3) feet from the edge of the pavement. When placement of a mailbox outside the three-foot minimum is not possible, a mailbox of "break-away design" shall be used.

c. Mailbox Requirements. All mailboxes within the road right-of-way shall meet the current Texas Department of Transportation (TXDOT) standards on streets with speed limits in excess of forty (40) miles per hour. All mailboxes must satisfy Post Office requirements and shall be erected in a place and manner that does not impede visibility. In the TXDOT and Post Office standards for mailboxes conflict, the more stringent standard shall apply.

4. The standards and procedures contained in Rockwall County Subdivision Standards, Article Ten, On-site Wastewater Rules, enacted by Order of May 29, 2007, as amended before or upon the Effective Date of the Agreement, and which hereby are incorporated by reference for all purposes, shall apply exclusively to the review of all applications for on-site sewage disposal within the City's ETJ. Where proposed developments require or seek centralized wastewater services, the City of Rockwall Subdivision Regulations and related main extension policies, standards and procedures shall exclusively apply.

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 12/02/2013

APPLICANT: Jay Bedford

AGENDA ITEM: P2013-039; Lots 1-3, Block A, Sharp Addition

SUMMARY:

Discuss and consider a request by Jay Bedford on behalf of the owner Rick Sharp for the approval of a final plat for Lots 1-3, Block A of the Sharp Addition being a 9.259-acre tract of land currently identified as Tract 2 of the J. A. Ramsey Survey, Abstract No. 186, Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) Light Industrial (LI) District, located at 2578 & 2582 SH-276, and take any action necessary.

COMMENTS:

- ✓ The objective of this request is to final plat a 9.259-acre tract of land into three (3) non-residential lots.
- ✓ This plat includes the dedication of five (5) feet of right-of-way for State Highway 276. After the dedication the total right-of-way width for State Highway 276 will be 130-feet.
- ✓ The Engineer has completed the majority of the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

Staff recommends approval of the final plat for *Lots 1-3, Block A, Sharp Addition* in conformance with the following conditions of approval:

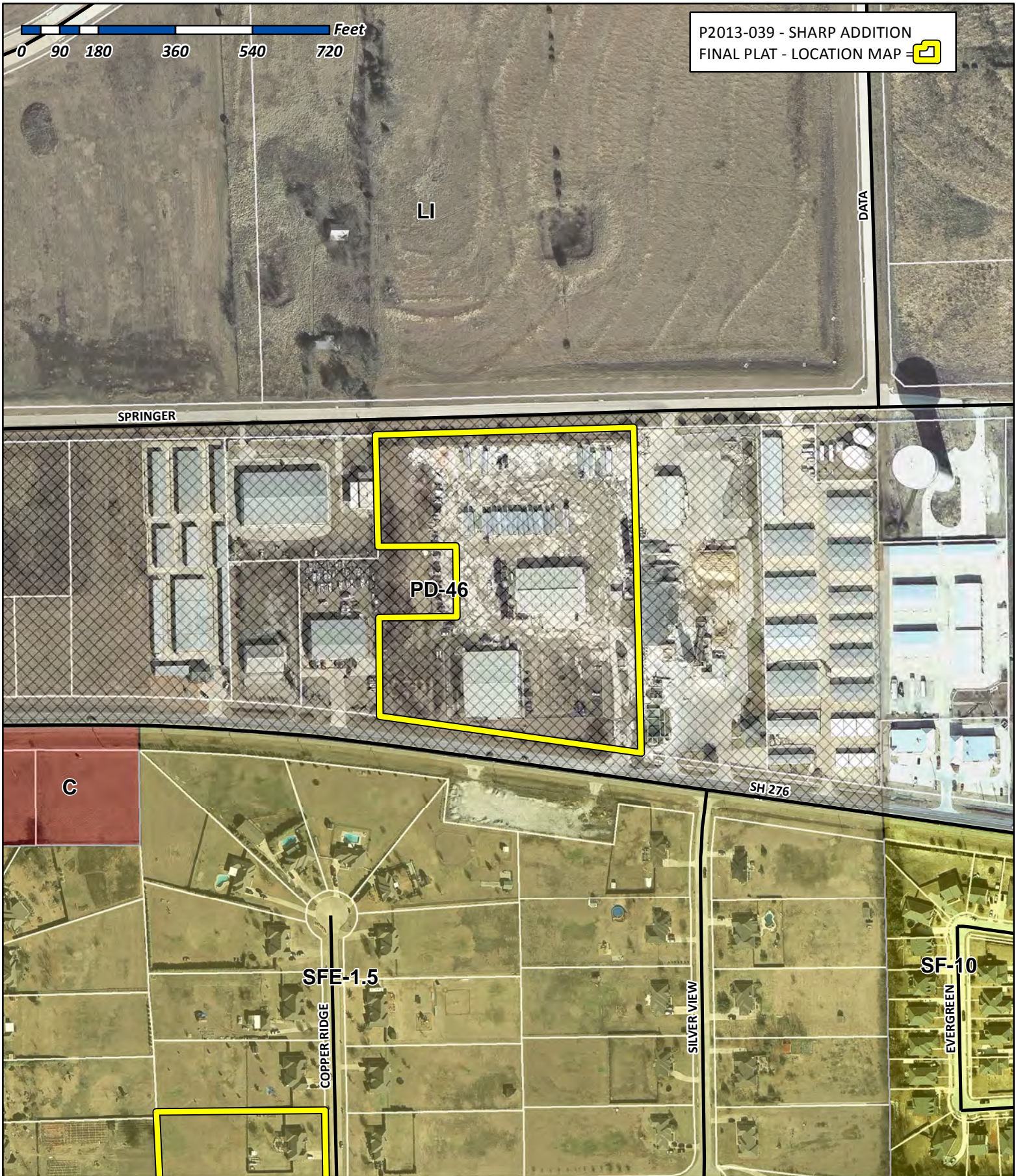
- 1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- 2) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 26, 2013, the Planning and Zoning Commission recommended to approve the final plat with staff conditions by a vote of 4 to 0, with Commissioners Conley, Lyons and Nielsen absent.

0 90 180 360 540 720 Feet

P2013-039 - SHARP ADDITION
FINAL PLAT - LOCATION MAP

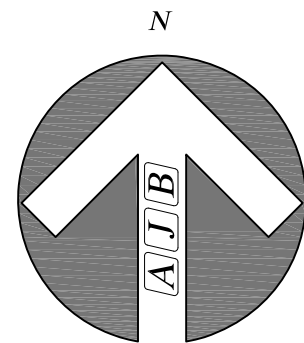


City of Rockwall

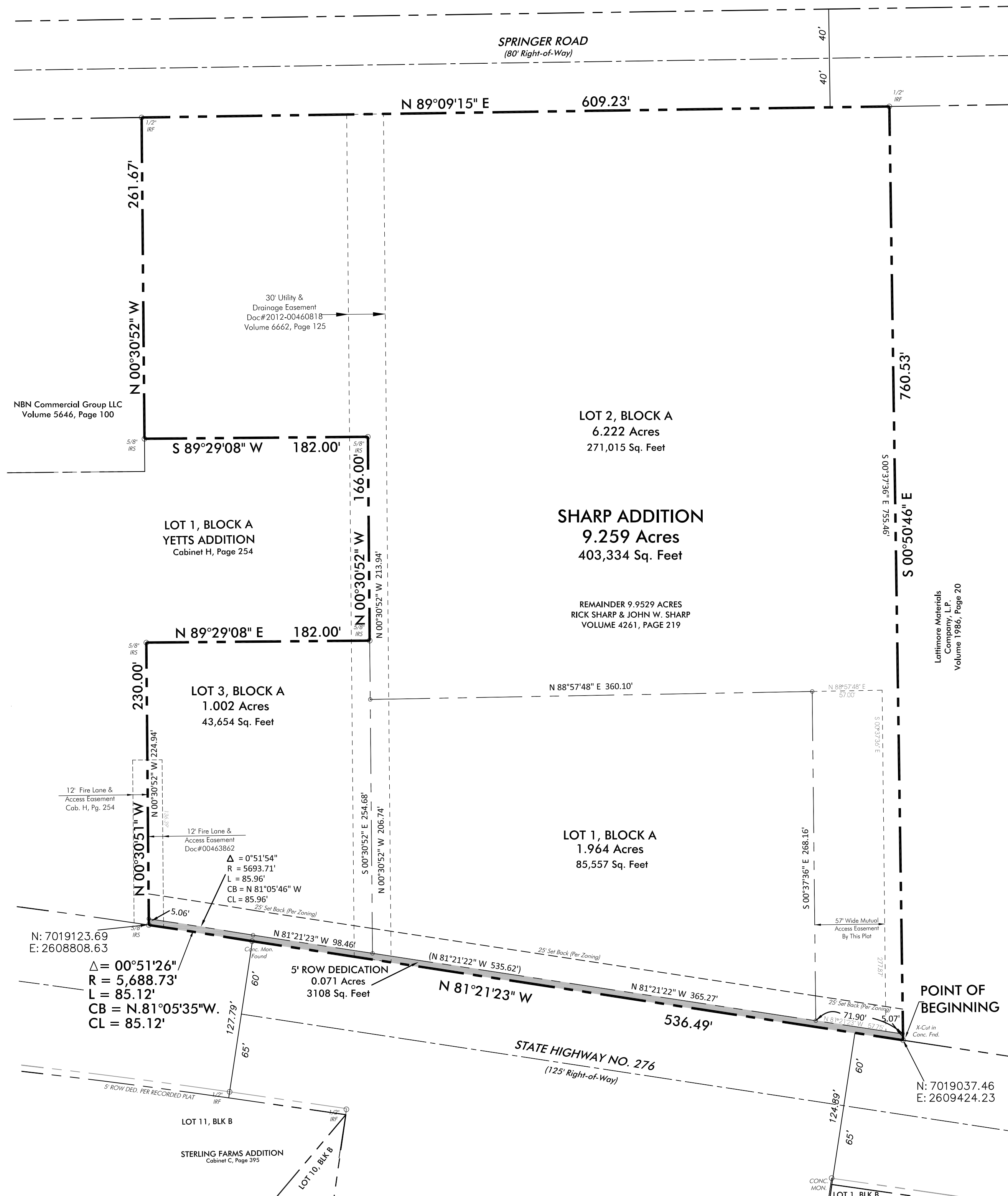
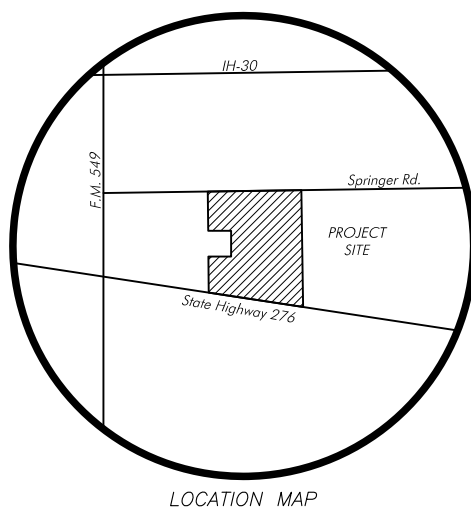
Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





0' 30' 60' 120'
SCALE: 1" = 60'



Site subject to restrictive covenants recorded in Volume 217, Page 96 of the Real Property Records of Rockwall County, Texas.

Site subject to terms, provisions of Facility Agreement recorded in Volume 6479, Page 168

Site subject to Easement recorded in Volume 6662, Page 125.

NOTES:
BASIS OF BEARINGS: BEARINGS ARE BASED ON THE DEED RECORDED IN VOLUME 217, PAGE 92, DEED RECORDS, ROCKWALL COUNTY, TEXAS.

FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL No. 48397C0045L, DATED SEPTEMBER 26, 2008 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP THIS PROPERTY IS WITHIN FLOOD ZONE "X", WHICH IS NOT A SPECIAL FLOOD HAZARD AREA. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

LEGEND

IRF	Iron Rod Found
IRS	Iron Rod Set
Conc. Mon.	Concrete Monument
OPRRCT	Official Public Records of Rockwall County, Texas
DRRCT	Deed Records of Rockwall County, Texas

THE PURPOSE OF THIS PLAT IS TO CREATE 3 INDIVIDUAL LOTS.

CASE NO. P2013-039

FINAL PLAT
LOTS 1, 2 & 3, BLOCK A
SHARP ADDITION
9.259 ACRES

J. A. RAMSEY SURVEY, ABSTRACT NO. 186
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Owners: RICK SHARP & JOHN W. SHARP richard.sharp@sharpinsulation.com
201 LAURENCE DR. PMB 523
HEATH, TX 75032 972-772-7411

Scale: 1" = 60'
Date: November 11, 2013
Technician: B J Elam
Drawn By: B J Elam

Checked By: A.J. Bedford
P.C.: D. Cryer
File: SHARP ADDITION
Job No. 533-001-C
TBPLS Reg. #10118200

301 N. Alamo Road * Rockwall, Texas 75087
(972) 722-0225 www.ajbedfordgroup.com

Sheet:
1
Of: 2



OWNERS DEDICATION

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS JOHN W SHARP & RICK SHARP ARE THE OWNERS of a Tract of Land in the City of Rockwall, County of Rockwall, State of Texas, according to the deeds recorded in Volume 4261, Page 219 and Volume 6665, Page 178 of the Real Property Records of Rockwall County Texas, said tract being described as follows:

BEING a 9.259 acre tract of land situated in the J.A. Ramsey Survey, Abstract Number 186 in the City of Rockwall, Rockwall County, Texas and being a portion of a 9.9529 acre tract of land described by deed to Rick Sharp & John W. Sharp recorded in Volume 4261, Page 219 of the Real Property Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at an "x" cut in concrete found for the southeast corner of said 9.9529 acre tract of land and being located in the north line of State Highway No. 276 (125' wide);

THENCE along said north line, NORTH 81°21'23" WEST a distance of 536.49 feet to a concrete monument found for the beginning of a curve to the left having a radius of 5688.73 feet and a chord bearing of NORTH 81°05'35" WEST;

THENCE along said curve to the left through a central angle of 00°51'26" for an arc length of 85.12 feet to a 5/8 inch iron rod found for the southeast corner of Lot 1, Block A of Yetts Addition an addition to the City of Rockwall according to the plat recorded in Cabinet H, Page 254 of the Real Property Records of Rockwall County, Texas;

THENCE departing said north line and along the east line of Lot 1, Block A of said Yetts Addition as follows:

NORTH 00°30'51" WEST a distance of 230.00 feet to a 5/8 inch iron rod set for corner;
NORTH 89°29'08" EAST a distance of 182.00 feet to a 5/8 inch iron rod set for corner;
NORTH 00°30'52" WEST a distance of 166.00 feet to a 5/8 inch iron rod set for corner;
SOUTH 89°29'08" WEST a distance of 182.00 feet to a 5/8 inch iron rod set for corner in the east line of a tract of land to NBN Commercial Group described in a deed recorded in Volume 5646, Page 100 of the Real Property Records of Rockwall County, Texas;

THENCE along the east line of said NBN Commercial Group Tract NORTH 00°30'52" WEST a distance of 261.67 feet to a 1/2 inch iron rod found for corner in the south line of Springer Road (80' wide);

THENCE along the south line of said Springer Road NORTH 89°09'15" EAST a distance of 609.23 feet to a 1/2 inch iron rod found for the northwest corner of a tract of land to Lattimore Materials Company, L.P. as described in Volume 1986, Page 20 of the Real Property Records of Rockwall County, Texas;

THENCE along the west line of said Lattimore Materials Company, L.P. tract SOUTH 00°50'46" EAST a distance of 760.53 feet to the POINT OF BEGINNING;

CONTAINING 9.259 Acres or 403,334 Square Feet of land more or less.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Austin J. Bedford, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Austin J. Bedford
Registered Professional Land Surveyor No. 4132

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared Austin J. Bedford, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____ day of _____, 2013.

Notary Public in and for the State of Texas

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WE the undersigned owners of the land shown on this plat, and designated herein as the SHARP ADDITION, LOTS 1, 2 & 3, BLOCK A to the City of Rockwall, Rockwall County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown for the purpose and consideration therein expressed. WE further certify that all other parties who have a mortgage or lien interest in the SHARP ADDITION, LOTS 1, 2 & 3, BLOCK A have been notified and signed this plat.

WE understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following:

- 1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house, dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

WE further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

RICK SHARP - OWNER

JOHN W. SHARP - OWNER

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared RICK SHARP, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____ day of _____, 2013.

Notary Public in and for the State of Texas

Signature of Party With Mortgage or Lien Interest

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared JOHN W. SHARP, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____ day of _____, 2013.

Notary Public in and for the State of Texas

Signature of Party With Mortgage or Lien Interest

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2013.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ____ day of _____, 2013.

Mayor, City of Rockwall City Secretary

City Engineer

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

THE PURPOSE OF THIS PLAT IS TO CREATE 3 INDIVIDUAL LOTS.

CASE NO. P2013-039

FINAL PLAT
LOTS 1, 2 & 3, BLOCK A
SHARP ADDITION
9.259 ACRES

J. A. RAMSEY SURVEY, ABSTRACT NO. 186
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Owners: RICK SHARP & JOHN W. SHARP richard.sharp@sharpinsulation.com
201 LAURENCE DR. PMB 523
HEATH, TX 75032 972-772-7411

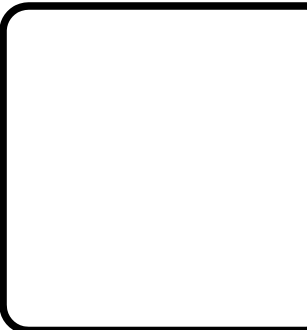


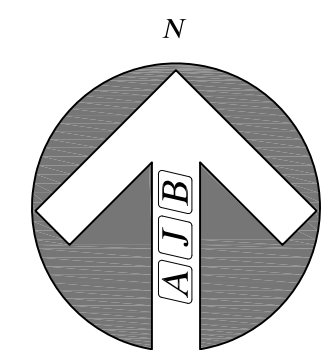
Table with scale (1" = 60'), date (November 11, 2013), technician (B J Elam), and drawn by (B J Elam).

Table with checked by (A.J. Bedford), P.C. (D. Cryer), file (SHARP ADDITION), job no. (533-001-C), and TBPLS Reg. # (10118200).

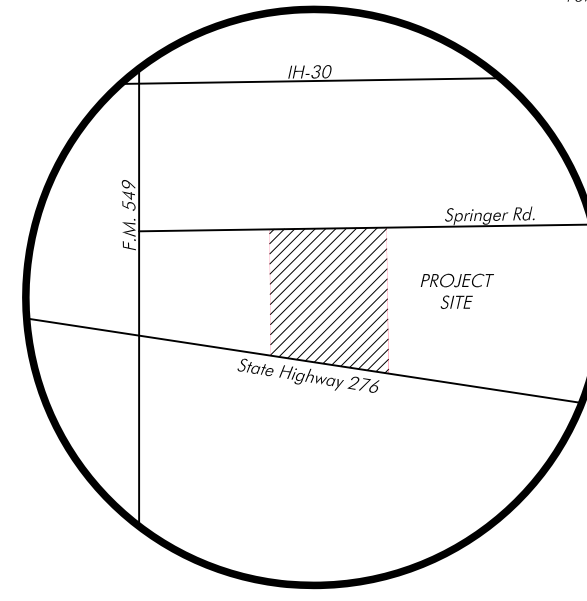
301 N. Alamo Road * Rockwall, Texas 75087
(972) 722-0225 www.ajbedfordgroup.com

Sheet: 2
Of: 2





Scale: 1" = 50'



LOCATION MAP

Starfire Properties L.P.
Volume 2195, Page 187

Tammy's Mobile Boat
& Motor Service, Inc.
Volume 708, Page 329

- LEGEND**
- IRF Iron Rod Found
 - IRS Iron Rod Set
 - PP Power Pole
 - GW Gray Wire
 - FH Fire Hydrant
 - WW Water Valve
 - WM Water Meter
 - SSMH Sanitary Sewer Manhole
 - LP Light Pole
 - RCP Reinforced Concrete Pipe
 - CMP Corrugated Metal Pipe
 - TB Telephone Box
 - GM Gas Meter
 - A-C Air Conditioner
 - EB Electric Box
 - CO Cleanout
 - TP Telephone Pedestal
 - ETP Electric Transformer Pad
 - MB Mailbox
 - DRRCT Deed Records of Rockwall County, Texas



Easement Notes:

Site subject to restrictive covenants recorded in Volume 217, Page 96 of the Real Property Records of Rockwall County, Texas.

Based on the survey prepared for the purchase this property dated October, 2005 and prepared by Connolly & Assoc., Inc., the easements listed in schedule B - 10(e), 10(f) & 10(g) of that title commitment GF #5021000010, dated July 28, 2005, issued August 18, 2005, do not affect the subject tract.



Leahmore Materials
Volume 1986, Page 20

One Story
Metal Building

NOTES:
ALL ELEVATIONS SHOWN HEREON ARE BASED ON THE CITY OF ROCKWALL'S MONUMENT STATION NO. R019.

BENCH MARK: STANDARD CITY OF ROCKWALL MONUMENT STATION NO. R019 IS A BRASS DISC SET AT THE NORTHWEST CORNER OF SILVER VIEW AND DIAMOND WAY. POSTED ELEVATION = 600.69

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE DEED RECORDED IN VOLUME 217, PAGE 92, DEED RECORDS, ROCKWALL COUNTY, TEXAS.

GENERAL NOTE:
THE USE OF THE WORD "CERTIFY" OR "CERTIFICATE" USED HEREON CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OF FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.

FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48397C0045L, DATED SEPTEMBER 26, 2008 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP THIS PROPERTY IS WITHIN FLOOD ZONE "X", WHICH IS NOT A SPECIAL FLOOD HAZARD AREA. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

EXHIBIT

J. A. RAMSEY SURVEY, ABSTRACT NO. 186
ROCKWALL COUNTY, TEXAS

Client: BINKLEY - BARFIELD
12555 WEST 15TH STREET SUITE 250
PLANO, TEXAS 75075

Scale: 1" = 50'	Checked By: A.J. Bedford
Date:	P.C.: D. Cryer
Technician: L. Spradling	File: HWY 276 10 AC
Drawn By: L. Spradling	Job No. 533-001
	GP No. 5021000010

301 N. Alamo Rd. • Rockwall, Texas 75087
(972) 722-0225 • www.ajbedfordgroup.com

Sheet:
1
Of: 1



Northing	Easting	Bearing	Distance
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6986456.18	2695078.95	N 00°30'52" W	230.00
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6986686.18	2695076.88	N 89°29'08" E	182.00
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6986687.81	2695258.88	N 00°30'52" W	166.00
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6986853.80	2695257.39	S 89°29'08" W	182.00
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6986852.17	2695075.39	N 00°30'52" W	261.67
------------	------------	---------------	--------

6987113.83	2695073.04	N 89°09'15" E	609.23
------------	------------	---------------	--------

6987122.82	2695682.21	S 00°50'46" E	760.53
------------	------------	---------------	--------

6986362.38	2695693.44	N 81°21'23" W	536.49
------------	------------	---------------	--------

6986443.00	2695163.04		
------------	------------	--	--

Radius: 5688.71 Chord: 85.12 Degree: 1°00'26" Dir: Left

Length: 85.12 Delta: 0°51'26" Tangent: 42.56

Chord BRG: N 81°05'31" W Rad-In: S 09°20'12" W Rad-Out: S 08°28'46" W

Radius Point: 6980829.65,2694240.13

6986456.18	2695078.95		
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Closure Error Distance> 0.0000

Total Distance> 3013.04

Polyline Area: 403334 sq ft, 9.259 acres

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CITY OF ROCKWALL

ORDINANCE NO. 13-47

SPECIFIC USE PERMIT NO. S-116

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO ALLOW FOR AN “ASSISTED LIVING FACILITY” ON A 0.96-ACRE TRACT OF LAND IDENTIFIED AS LOTS 2 & 5, BLOCK 1 OF THE ALLIANCE ADDITION, AND FURTHER DESCRIBED IN EXHIBIT “A” ATTACHED HERETO, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 57 (PD-57), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) for an “Assisted Living Facility” within Planned Development District No. 57 (PD-57) has been requested by Cameron Slown and on behalf of Med-Tech Construction, on a 0.96-acre tract of land, and identified as Lots 2 & 5, Block 1 of the Alliance Addition and further described in Exhibit “A” attached hereto, City of Rockwall, Rockwall County, Texas, and which is situated southeast of the corner of the intersection of H. Wallace Lane and Jeff Boyd Drive, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for an “Assisted Living Facility” within Planned Development District No. 57 (PD-57) as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

SECTION 2. That the Subject Property shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) and as set forth in the Unified Development Code [Ordinance No. 04-38] as heretofore amended, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of an “Assisted Living Facility” on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

1. The “Assisted Living Facility” shall adhere to the development standards established in Planned Development District No. 57 (PD-57) for the property described in Exhibit “A” attached hereto and;
2. The development will require site plan approval and is subject to review by the Architectural Review Board (ARB) as stipulated in Planned Development District No. 57 (PD-57).

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2nd DAY OF DECEMBER, 2013.

David Sweet, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: 11-18-13

2nd Reading: 12-02-13

EXHIBIT "A"

FIELD NOTES DESCRIPTION:

PART of the W. W. Ford Survey, Abstract No. 80, situated in the City of Rockwall, Rockwall County, Texas, embracing all of Lots 2 and 5, Block 1 of Alliance Addition Phase 2, an addition to the City of Rockwall, Rockwall County, Texas as shown on the plat recorded in Cabinet G, Slide 301 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for the west corner of said lot 5, and the south corner of Lot 1 of said Alliance Addition, said point also lying on the northeast line of Alliance Drive, a 60 feet wide right of way;

THENCE North 45 degrees 12 minutes 49 seconds East, along the common line of said Lots 1, and 5, passing the west corner of said Lot 2 at 131.46 feet, and continuing along the common line of said Lots 1 and 2, a total distance of 237.08 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for the north corner of said lot 2, said point also lying on the southwest line of a 33.5 foot right-of-way dedication;

THENCE South 44 degrees 28 minutes 29 seconds East, along the northeast line of said Lot 2 and the southwest line of said right-of-way dedication, a distance of 188.47 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for the east corner of said Lot 2, and the north corner of Lot 3 of said Alliance Addition;

THENCE South 45 degrees 12 minutes 49 seconds West, along the common line of said Lots 2, and 3, passing the east corner of said Lot 5, and the north corner of Lot 6 of said Alliance Addition, at 105.61 feet, and continuing along the common line of said Lots 5 and 6, a total distance of 211.22 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for the south corner of said lot 5, said point also lying on the aforementioned northeast line of Alliance Drive;

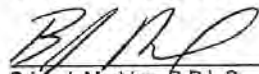
THENCE North 44 degrees 28 minutes 29 seconds West, along said northeast line of Alliance Drive, a distance of 57.97 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found at the beginning of a curve to the left, having a radius of 330.00 feet, a central angle of 23 degrees 13 minutes 58 seconds, and a chord which bears North 55 degrees 41 minutes 31 seconds West, 132.90 feet;

THENCE along said curve to the left an arc distance of 133.81 feet to the **POINT OF BEGINNING** and containing 40,895 square feet or 0.938 of an acre of land.

The Basis of Bearings is the Final Plat of Alliance Addition Phase 2, an addition to the City of Rockwall, Rockwall County, Texas recorded in Cabinet G, Slide 301 of the Plat Records of Rockwall County, Texas.

Surveyors Certification

I, **Brian J. Maddox**, Registered Professional Land Surveyor Number 5430, State of Texas, do hereby certify to that this description was prepared from the public records.



Brian J. Maddox, R.P.L.S.
October 17, 2013



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CITY OF ROCKWALL

ORDINANCE NO. 13-48

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR A 9.76-ACRE TRACT OF LAND IDENTIFIED AS LOTS 18 & 19 OF RAINBOW ACRES, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Jim Smylie, and on behalf of Bill Burns (property owner), for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (Ag) District to a Commercial (C) District for a 9.76-acre tract of land identified as Lots 18 & 19 of Rainbow Acres, City and County of Rockwall, Texas, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from an Agricultural (Ag) District to a Commercial (C) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 4.5, "Commercial (C) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

Section 3. That the official zoning map of the City be corrected to reflect the changes in the zoning described herein.

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 2nd DAY OF DECEMBER, 2013.

David Sweet, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *Interim City Attorney*

1st Reading: 11-18-13

2nd Reading: 12-02-13

**Exhibit 'A':
Legal Description**



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November 25, 2013

Ms. Lea Ann Ewing
Finance Department
City Of Rockwall
Rockwall, TX 75087

Dear Lea Ann:

I am submitting the Report of use of HOT funding as called for in the contract between the City of Rockwall and the Pumpkin Patch. This information was extracted from the Treasurer's Records. We still have some outstanding bills to pay and expect a few deposits to be received; however we are making this report in order to comply with the 30-day reporting requirement. This information is confidential and final figures have not been given to the sponsoring organizations.

The amount spent for advertising outside our immediate area exceeded the \$2,000 HOT advertising funds. (See Attachment 1 for details.)

Section 5(a): Accounting was maintained as required.

Section 5(b): Our website shows a link to the listing of Rockwall hotels.

Section 5(c)(1): Attached is a worksheet showing the revenues and expenditures requested in Exhibit B, Detailed Reporting of HOT Expenses. (Attachment 2)

Section 5(c)(2): We captured out of town visitors using a visitor's log. Since registration was optional, it is likely that some chose not to complete the log. I am attaching a summary of overnight stays based on the information available.

As you may know, this is the 25th and final year for Rockwall's Original Pumpkin Patch. Again, we appreciate the support of the City of Rockwall and the City Council in assisting us to make this annual month-long community event a Rockwall destination.

Sincerely,

Nell Welborn, Publicity Chair
Pumpkin Patch Steering Committee

Attachments:

1. Advertising Expenses
2. Report of Income and Expenses
3. Summary from Visitor's Log

*Rockwall's Original Pumpkin Patch
P. O. Box 1371
Rockwall, Texas 750887*

**Pumpkin Patch Advertising Expenses
FY 2013-14 HOT Funds**

Date	Media Source	Frequency Published	# reached	Purpose for Expenditure	Cost	HOT Eligible	Paid by Patch
	HyTech Signs			Update banner signs			\$35.65
	Texas Journeys	bi-monthly		AAA magazine travel guide	0		
	Vistaprint	n/a		Postcards - hotels/motels/chamber/out-of-town eve	\$105.00	\$105.00	
9/13/13	ImageSOS	n/a		4ftx4ft signs - 4	\$175.50		\$175.50
7/13/13	Suburban Parent	monthly	30,000	North Dallas & Lakeside editions	\$350.00	\$350.00	
10/13/13	Landon Publishing	bi-monthly	10,000	Steve Butler Forney Living	\$324.00	\$324.00	
	GoDaddy	n/a		Website domain, hosting & maintenance	\$78.92	\$78.92	
9/26/12	C&S Media	monthly	20,000	Janice Martz Wylie (5 papers) Wylie (5 papers) and banner ad	\$125.34	\$125.34	
10/2/13	Terrell Tribune	Thurs & Sun	20,000	Terrell Tribune newspaper advertisement		\$36.00	
10/13/13	Terrell Tribune			Stephanie Terrell Tribune newspaper advertisement		\$36.00	
10/16/13	Terrell Bargain Hunter			Terrell Bargain Hunter Advertisement		\$36.00	
10/2/13	Terrell Bargain Hunter			Terrell Bargain Hunter Advertisement		\$36.00	
9/24/12	Kaufman Herald	Thurs		Kathy Lynn Kaufman Herald newspaper advertisement	\$134.40	\$134.40	
10/12/12	Kaufman Herald			Kaufman Herald newspaper advertisement	\$134.40	\$134.40	
10/4/13	Herald Banner	weekly		Rockwall Herald Banner newspaper advertisement	\$50.70		\$50.70
10/4/13	Herald Banner			Greenville Herald Banner newspaper advertisement	\$39.60	\$39.60	
10/17/13	Herald Banner			Shawna Brunson - contact	\$39.60	\$39.60	
10/4/13	Herald Banner			Greenville Herald Banner shopper insert		\$7.00	
10/4/13	Hunt County Shopper		50,000	Kay Black Hunt County Shopper newspaper ad 10/17 & 10/24	\$117.00	\$117.00	
9/27/13	Rockwall County News		18,000	Newspaper advertisements 10/4	\$72.00		\$72.00
				Ginger RCN.Advertising@yahoo.com			
	Blue Ribbon News		16,500	ext 1121 Richard Redding 1/8 \$250	\$360.00	\$360.00	
	Chamber of Commerce - Visit Rockwall.co			Jarred Schweers Free for calendar \$150 for 1 mo.	\$150.00	\$150.00	
TOTAL					\$2,256.46	\$2,109.26	\$333.85
				Less amt paid by HOT		\$2,000.00	
				HOT eligible-verage to be paid by Patch		\$109.26	
				Total from non-HOT eligible expenses		\$333.85	
				Patch advertising expenses		\$2,443.11	

**Rockwall's Original Pumpkin Patch
Profit Loss Statement
October 5 - 31, 2013**

Attachment 2

Income	
Sales	\$56,337.44
Donations	\$100.00
HOT check	\$2,000.00
Total Income	\$58,437.44
Expenses	
Event Insurance	\$681.92
Ribbon Cutting	\$45.28
Tent Rental	\$1,625.00
Site Preparation	\$386.84
Children's Programs	\$311.21
Promotion/Marketing/Advertising	\$2,443.64
Forklift Rental	\$849.38
Miscellaneous Supplies	\$74.71
Event-related Expenses	\$6,417.98
Merchandise	
Pumpkins, Gourds, Squash	\$27,871.50
Lawn Art	\$1,054.83
Deli	\$1,695.05
Nursery Stock	\$2,845.00
Hay, Cornstalks, Decorations	\$757.50
Total Cost of Merchandise	\$34,223.88
 Total Expenses	 \$40,641.86
 Net Profit	 \$17,795.58

Confidential Information

See explanation in cover letter

OUT OF COUNTY VISITORS

DATE	CITY	NBR. OF PEOPLE *indicates overnight stays
FOREIGN COUNTRIES	Brazil	3*
OUT-OF-STATE	Pottawatomie, OK	1*
	Annapolis, MD	4*
	Pittsburg, KS	2
	Shawnee, OK	1*
	Okmulgee, OK	1*
OUT-OF-COUNTY	Wylie, TX	8
	Farmersville, TX	1
	Lavon TX	13
	Mesquite TX	17
	Forney TX	6
	Sulphur Springs TX	4
	Dallas TX	4
	The Colony TX	4*
	Plano TX	8
	Garland TX	15
	Sachse TX	5
	Terrell TX	3
	Midlothian, TX	4
	Irving, TX	3
	Celina, TX	1
	Pleasant Grove, TX	4
	Austin, TX	5*
	San Angelo, TX	2*
	Amarillo, TX	3*
	Houston, TX	2*
	Canton, TX	2
	McKinney, TX	2*
	Murpky, TX	2
	Crandall, TX	5
	Athens, TX	3
	Allen, TX	1
	Conroe, TX	2*

Summary from Visitor's Log.

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CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: City Council

FROM: Ryan Miller, Senior Planner

DATE: December 2, 2013

SUBJECT: Proposed Annexation of 42.482-Acres [A2013-001]

On December 2, 2013 the City Council will be holding the first (6:00 PM) and second (6:30 PM) required public hearings to consider the voluntary annexation of approximately 42.482-acres. The subject properties consist of two (2) areas (depicted in *Exhibit 'A'*), which are generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549.

On October 18, 2010 the City of Rockwall and sixteen (16) property owners representing twenty-three (23) properties entered into a 212 Development Agreement for a period of three (3) years [Case No. A2010-001]. The development agreement expired on October 18, 2013 and per the direction of the City Council, staff offered a five (5) year extension agreement. Of the twenty-three (23) properties offered the extension, three (3) property owners declined the extension in favor of voluntary annexation into the City. The three (3) property owners opting for annexation represent 42.482-acres of land which is comprised of four (4) tracts that are more specifically described as follows:

- 1) Tract 17-14 of the W. W. Ford Survey, Abstract No. 80 being 12.493-acres.
- 2) Tract 40 of the W. W. Ford Survey, Abstract No. 80 being 8.989-acres.
- 3) Tract 40-1 of the W. W. Ford Survey, Abstract No. 80 being 1-acre.
- 4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181 being 20-acres.

City staff has followed the proper procedure for annexation of the subject properties as stipulated by the 212 Development Agreement (*approved on October 18, 2010*) and the Texas Local Government Code relating to sending out property owner notices to all affected property owners, and publishing a notice in a paper of general circulation and on the City's website. A *Service Plan* for the proposed annexation is attached to this memorandum as *Exhibit 'B'*, and has been made available to the public at City Hall and via the City's website.

The City Council is not required to take action on this matter at the December 2, 2013 public hearings. The first reading of the annexation ordinance is scheduled for January 6, 2014 with the second reading of the annexation ordinance scheduled for January 21, 2014. Staff will be available at the meeting to answer any questions concerning this annexation.

Exhibit 'A'
Legal Descriptions and Location Maps

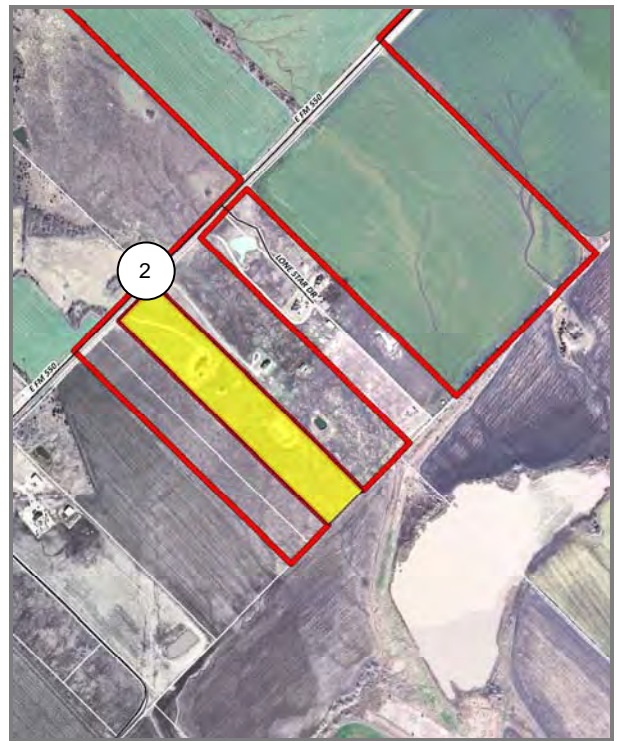
(Page 1 of 1)

BEING for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181, County of Rockwall, Texas and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows:

No.	Owner	Tract	Size of Tract
1	Scott W. & Glenita G. Blackwood	A0080 W. W. Ford, Tract 17-14	12.493-Acres
2	Mark S. Olmstead	A0181 J. W. Pitman, Tract 1-4	20.00-Acres
3	Alan D. Travis	A0080 W. W. Ford, Tract 40	8.989-Acres
4	Alan D. Travis	A0080 W. W. Ford, Tract 40-01	1.00-Acres



Area 1



Area 2

Exhibit 'B'
Service Plan

(Page 1 of 6)



SERVICE PLAN FOR ANNEXED AREA

CITY OF ROCKWALL, TEXAS

CASE NO.: A2013-001

ACREAGE/AREA TO BE ANNEXED: 42.482-Acres

SURVEY ABSTRACT AND COUNTY

BEING four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181, Rockwall County, Texas and being specifically described in the following sections of this plan.

DATE OF ADOPTION OF ANNEXATION ORDINANCE: January 21, 2014
DATE

Municipal services to the acreage described above shall be furnished by or on behalf of the City of Rockwall, Texas, at the following levels and in accordance with the following schedule:

A. POLICE SERVICES:

1. Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.
2. As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

B. FIRE SERVICES

1. Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.
2. As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

C. HEALTH AND CODE COMPLIANCE SERVICES

1. Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced by existing personnel.

Complaints of ordinance or regulation violations within this area will be responded

Exhibit 'B'
Service Plan

(Page 2 of 6)

and investigated by existing personnel beginning with the effective date of the annexation ordinance.

2. The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
3. The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.
4. All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.
5. As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

D. PLANNING AND ZONING SERVICES

1. The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation ordinance. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Comprehensive Plan, Zoning Ordinance, Landscape Ordinance and Code of Ordinances.

E. RECREATION AND LEISURE SERVICES

1. Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.
2. Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

F. SOLID WASTE COLLECTION

1. Solid waste collection shall be provided to the property owner in accordance with existing City policies as to frequency and charges, beginning on the effective date of annexation except for properties that are served by a privately owned solid waste management service provider. Such properties will be allowed to continue private service for a period of two years from the effective date of annexation at which time the property will be required to begin service with a franchised solid waste contractor within the City of Rockwall.

Exhibit 'B'
Service Plan

(Page 3 of 6)

G. STREETS

1. The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.
2. As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.
3. The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

H. WATER SERVICES

1. Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.
2. Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.
3. Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.
4. Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

I. SANITARY SEWER SERVICES

1. Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.
2. Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.
3. Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.

Exhibit 'B'
Service Plan

(Page 4 of 6)

4. Previously granted exceptions to the requirements of connections to the city's sanitary sewer treatment system shall be continued until such alternate systems are determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception.

J. PUBLIC UTILITIES

1. Other public utilities will be provided by the City's franchisee or a provider holding a certificate of convenience issued by the state to serve that area.

K. MISCELLANEOUS

1. General municipal administration services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

Exhibit 'B'
Service Plan

(Page 5 of 6)

ANNEXATION SCHEDULE

- ✓ Friday, March 15, 2013: 180-day notice of expiring 212 Development Agreement sent to all property owners.
- ✓ Tuesday, May 21, 2013: 150-day extension request deadline.
- ✓ Friday, July 12, 2013: Notice sent by Certified Mail of expiring 212 Development Agreement and intent to accept voluntary petitions for annexation (*sent 90 days prior to the expiration date of the 212 Development Agreement*).
- ✓ Friday, October 18, 2013: *Current 212 Development Agreements expire.*
- ✓ Thursday, October 24, 2013: Notice of 1st & 2nd Public Hearing mailed to property owners (*30 days prior to 1st & 2nd Public Hearing*).
- ✓ Thursday, October 31, 2013: Notice sent to paper for publication (*1st & 2nd Public Hearing*).
- ✓ Tuesday, November 12, 2013: Notification appears in newspaper for 1st & 2nd Public Hearing (*x<20 and x>10 days before Public Hearing*). Obtain required affidavit of publication from paper.
- ✓ Tuesday, November 12, 2013: Notification posted on internet 1st & 2nd Public Hearing (*x<20 and x>10 days before Public Hearing*).
- ✓ Monday, December 02, 2013: FIRST PUBLIC HEARING/SECOND PUBLIC HEARING (*x<40 and x>20 days before 1st Reading*).
- ✓ Monday, January 06, 2013: City Council approves annexation ordinance (*1st Reading*).
- ✓ Monday, January 21, 2014: City Council final approval (*2nd Reading*).
- ✓ Sunday, April 06, 2014: Annexation must be completed before the date to the left. Annexation proceedings must be completed within 90 days of 1st Reading of ordinance.

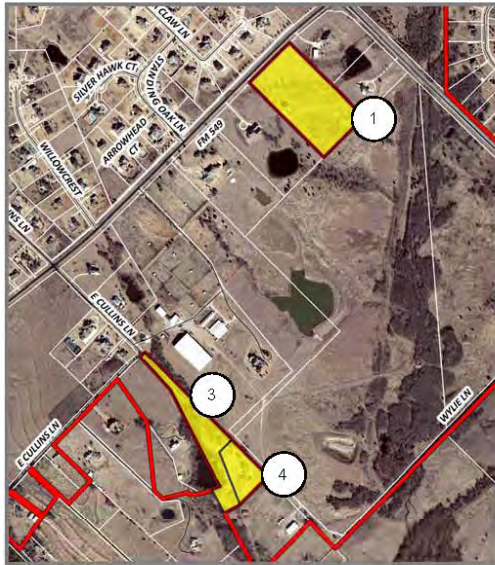
Exhibit 'B'
Service Plan

(Page 6 of 6)

LEGAL DESCRIPTION

Being for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181, County of Rockwall, Texas and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows:

No.	Owner	Tract	Size of Tract
1	Scott W. & Glenita G. Blackwood	A0080 W. W. Ford, Tract 17-14	12.493-Acres
2	Mark S. Olmstead	A0181 J. W. Pitman, Tract 1-4	20.00-Acres
3	Alan D. Travis	A0080 W. W. Ford, Tract 40	8.989-Acres
4	Alan D. Travis	A0080 W. W. Ford, Tract 40-01	1.00-Acres



Area 1



Area 2

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 13-49

AN ORDINANCE OF THE CITY OF ROCKWALL CONTINUING WITH CURFEW FOR MINORS UNDER SEVENTEEN YEARS OF AGE PER CHAPTER 22, ARTICLE II, DIVISION 4, SECTIONS 22-99 THROUGH 22-103 OF THE CODE OF ORDINANCES; ENTITLED TRIENNIAL REVIEW; PROVIDING FOR ENFORCEMENT; ESTABLISHING CRIMINAL PENALTIES; AND SETTING AN EFFECTIVE DATE

WHEREAS, persons under the age of seventeen are particularly susceptible by their lack of maturity and experience to participate in unlawful and gang-related activities and to be victims of older perpetrators of crime; and

WHEREAS, the City of Rockwall has and continues to provide for the protection of minors from each other and from other persons, for the enforcement of parental control of and responsibility for their children, for the protection of the general public, and for the reduction of the incidence of juvenile criminal activities; and

WHEREAS, the City of Rockwall adopted Ordinance 10-33 on December 6, 2010 for the purpose to deter criminal conduct involving juveniles; reduce the number of juvenile crime victims and reduce accidents involving juveniles; provide additional and more effective means and options for dealing with gang related violence and crime; reduce juvenile peer pressure to participate in violent or criminal activities; assist parents in the control of their children; and to make the City a better community and a safer place to live and work, to raise a family; and

WHEREAS, it is believed that the continuation of the current curfew ordinance for minors under seventeen years of age is in the interest of the public health, safety, and general welfare, and will help to attain the foregoing objectives and to diminish the undesirable impact of such conduct on the citizens of the City of Rockwall; and

WHEREAS, Texas Local Government Code Section 370.002 requires review of the curfew ordinance and to conduct a public hearing to be held before readopting it the renewal of the Curfew Ordinance; and

WHEREAS, after receiving the report of the Chief of Police for the City, and conducting a Public Hearing, the City Council has determined there is a continuing need to keep the curfew ordinance in place as modified in the manner provided by law;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1: City of Rockwall Code of Ordinances, Chapter 22, Sections 22-99 through 22-103, is hereby renewed for an additional three year period and expiring December 31, 2016.

Section 2. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code and the City Charter.

Section 3. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not effect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 2nd DAY OF DECEMBER, 2013.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 11-18-13

2nd Reading: 12-02-13

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CITY OF ROCKWALL

ORDINANCE NO. 13-46

SPECIFIC USE PERMIT NO. S-115

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A “PAWNSHOP” ON A PORTION OF A 0.423-ACRE PARCEL OF LAND, AND MORE SPECIFICALLY IDENTIFIED AS “SUITE 1” AS DEPICTED IN EXHIBIT “A” ATTACHED HERETO, AND LOCATED AT 1901 S. GOLIAD STREET, AND ZONED COMMERCIAL (C) DISTRICT, AND DESCRIBED AS LOT 1, BLOCK 1 OF THE GARLAND FEDERAL SAVINGS & LOAN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) for a “Pawnshop” within a Commercial (C) zoning district has been requested by Rockwall Gold & Silver and on behalf of Donna Pritchard (property owner), on a portion of a 0.423-acre parcel of land, and more specifically identified as “Suite 1” as depicted in Exhibit “A” attached hereto, and described as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition City of Rockwall, Rockwall County, Texas, which is situated at the southeast corner of SH-205 and Yellow Jacket Lane, and also known as 1901 S. Goliad Street, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for a “Pawnshop” within a Commercial (C) zoning district as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

SECTION 2. That the Subject Property shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) and as set forth in the Unified Development Code [Ordinance No. 04-38] as heretofore amended, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a “Pawnshop” as a use for an existing commercial facility on the *Subject Property*, and conformance to these operational conditions on required for continued operations:

1. The “Pawnshop” shall be limited in its operations to an area of approximately nine (900) hundred square feet for the area designated as “Suite 1” as depicted in Exhibit “A” attached hereto and;
2. That incidental display and outside storage shall be strictly prohibited.
3. This Specific Use Permit (SUP) shall be valid for a period of two (2) years from the date of approval as granted upon herein, and the City Council reserves the right to renew the SUP granted herein upon the expiration of the two (2) year period from the date hereof.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2nd DAY OF DECEMBER, 2013.

David Sweet, *Mayor*

ATTEST:

APPROVED AS TO FORM:

Kristy Ashberry, *City Secretary*

Frank J. Garza, *City Attorney*

1st Reading: 11-18-13

2nd Reading: 12-02-13



Exhibit "A"

Z2013-028: Rockwall Gold & Silver – SUP (Pawnshop)
 Ordinance No. 13-46; SUP No. 115

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 12/02/2013

APPLICANT: Russell Phillips

AGENDA ITEM: MIS2013-010; Harbor Heights Streetscape Plan

SUMMARY:

Discuss and consider a request by Russell Philips for the approval of a waiver of design standards in conjunction with a previously approved site plan for a streetscape plan for Planned Development District 32 (PD-32) on property being situated within the Summit Office & Hillside Sub-Districts and located within the right-of-way of Sunset Ridge Drive, Pinnacle Way and Harbor Heights Drive, and take any action necessary.

CHARACTERISTICS OF REQUEST:

The applicant, Russell Phillips, is requesting a waiver to the design standards in accordance with the procedures stipulated by Planned Development District 32 (PD-32) for the purpose of proposing a streetscape plan that changes the landscape configuration and lighting standards within the right-of-ways of Sunset Ridge Drive, Pinnacle Way and Harbor Heights Drive. Specifically, the applicant is proposing a to change the light fixtures required by the zoning district for the pedestrian scale street lights (depicted in *Exhibit 'B'* [i.e. *Bega 9701 MH 100W Metal Halide Fixture*]) to a light fixture that is aesthetically the same in terms of design and shape (depicted in *Exhibit 'E'* [i.e. *Amerlux Exterior D154-TS20*]). The remainder of the street lights (i.e. *the tapered round pole with integral banner arms [i.e. Bega 1108 HR 11'-8"]*) will remain as depicted in the zoning ordinance; however, the applicant is requesting to change the color of the street lights from *Moss Grey* (required by the zoning ordinance) to a black. The proposed color will be consistent with the light poles used within the harbor retail district.

Additionally, the applicant is proposing to change the street tree configuration along Sunset Ridge Drive, Pinnacle Way and Harbor Heights Drive. According to the current Master Tree Plan (depicted in *Exhibit 'D'*) all the trees planted within the area shown on the applicant's streetscape plan are required to be Cedar Elm trees, in tree wells, a minimum of 30-feet OC (*on center*), four (4) inches in caliper, and be a minimum size of 100 gallons. The revised plan makes the following changes:

- 1) Harbor Heights Drive: This area will utilize Red Oak trees approximately 90-feet OC. Currently, the Master Tree Plan only designates the Residential Sub-District for the use of Red Oak trees (reference the Sub-Districts map attached in *Exhibit 'A'*).
- 2) Sunset Ridge Drive: This area will utilize a majority Cedar Elm trees, with the exception of the areas that will be directly in front of Trend Tower. These areas will incorporate Italian Cypress trees. Trees will be approximately 50-feet OC. The Master Tree Plan does not currently include the Italian Cypress tree in the Harbor District Plan.
- 3) Pinnacle Way: This street frontage will incorporate either Pond Cypress or Bald Cypress or Cedar Elm trees. The Master Tree Plan currently permits Pond Cypress trees in various Sub-Districts throughout the Harbor District, while Bald Cypress is only incorporate in the Harbor Residential Sub-District.

Staff has provided a copy of the applicant's proposed streetscape plan transposed on to a current aerial image for reference.

According to Ordinance 10-21 (which regulates the design standards for Planned Development District 32 [PD-32]), "(i)n order to provide flexibility and create high quality projects, an applicant for development within the PD District may request a waiver of the following District or Sub-District standards: (1) Building Placement Requirements, (2) Landscape Requirements, (3) Parking Requirements, (4) Parking Garage Design Standards, and (5) Increased Building Height in any Sub-District." In this case both elements (i.e. *street trees and lighting standards*) are permitted to be considered for a waiver of design standards as they are both consider to be landscape standards. Additionally, the ordinance states that, "(w)aivers may only be approved by the City Council following a recommendation by the Planning and Zoning Commission. In order to approve a waiver, the City Council must find that the waiver: (1) Meets the general intent of the PD District or Sub-District in which the property is located, and (2) Will result in an improved project which will be an attractive contribution to the PD District or Sub-District, and (3) Will not prevent the implementation of the intent of this PD District." *A copy of the applicant's request letter has been provided in the attached packet.*

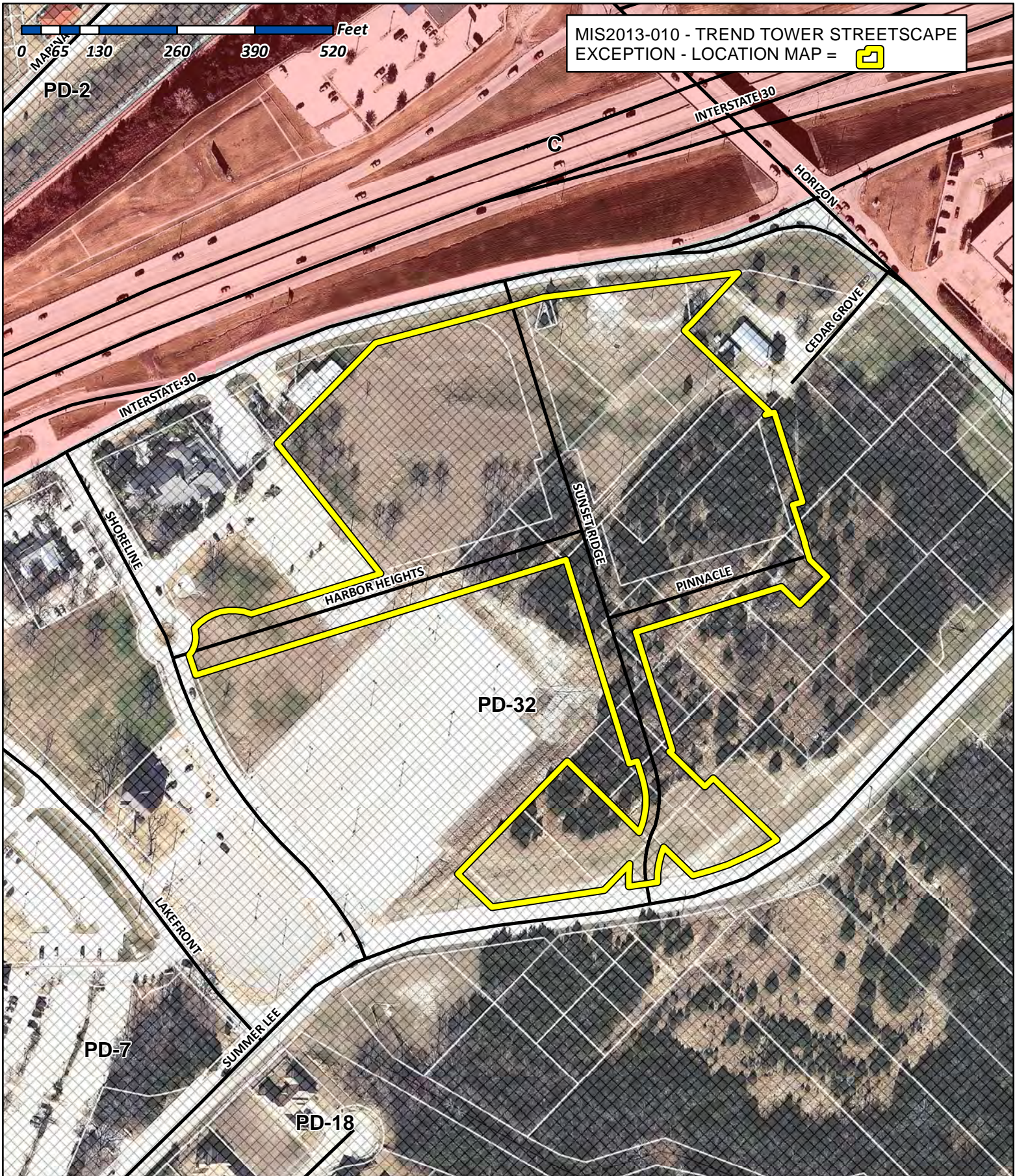
RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request for a waiver to the design standards staff recommends the following conditions:

- 1) The remainder of the landscaping and lighting standards shall be consistent with all other requirements stipulated by Planned Development District 32 (PD-32) (*i.e. Parking Lot Light Fixtures, Tree Up-Lighting, Tree Leave Outs, Decorative Pots, etc.*).
- 2) Unless specifically addressed in the attached streetscape plan, all trees proposed for this project shall be planted a maximum of 50-feet OC, and shall be a minimum of four (4) inches in caliper and be at least 100 gallon planting size.
- 3) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 26, 2013, the Planning and Zoning Commission recommended to approve the applicant's request with staff conditions by a vote of 5 to 0, with Commissioners Conley and Nielsen absent.



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Miller, Ryan

From: LaCroix, Robert
Sent: Wednesday, November 20, 2013 11:32 AM
To: Miller, Ryan
Subject: FW: Harbor Heights Infrastructure

FYI

From: RUSSELL PHILLIPS [<mailto:rphil404@aol.com>]
Sent: Wednesday, November 20, 2013 11:31 AM
To: LaCroix, Robert
Subject: Harbor Heights Infrastructure

Robert,

I would like to request approval to some requirements on PD-32 and more specifically to the roads we have put in for Harbor Heights. I have provided a plan for your review. I am requesting a substitution of streetlights to match more of the existing harbor and change the color from gray to black to match the existing Harbor as well. I am also requesting a change to landscaping as shown on the plan.

Thanks,

Russell Phillips
Sterling One Properties

Exhibit 'A': Sub-Districts Map
Planned Development District 32 (PD-32) [Ordinance 10-21]



Exhibit 'B': Lighting Standards
 Planned Development District 32 (PD-32) [Ordinance 10-21]

S T R E E T S C A P E E L E M E N T S

LIGHTING

Pedestrian Scale Street Light

Bega 9701 MH 100W Metal Halide fixture on Bega 1108 HR 11'-8" tapered round pole with integral banner arms.
 powder coat color RAL #7003 Moss Grey.

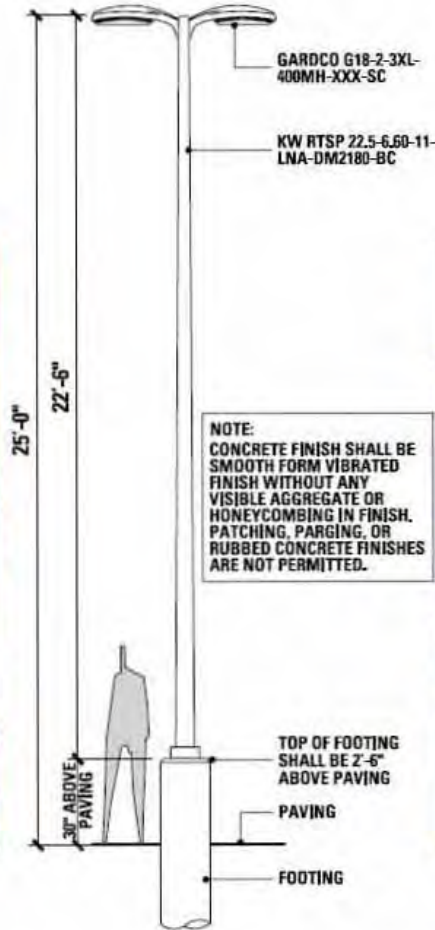
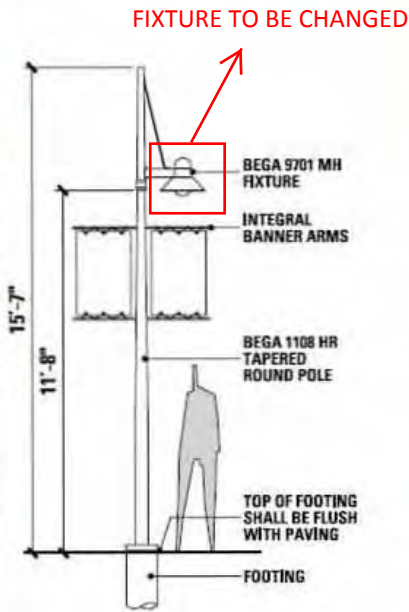
REQUIRED LIGHTING STANDARD

Parking Lot Light Fixture

Gardco Gullwing G18-2-3XL-400MH-XXX-SC on KW RTSP 22.5-6.60-11-LNA-DM2180-BC powder coat color RAL #7003 Moss Grey
 Parking lots shall be illuminated to an average sustained level of 1.5 - 2 footcandles.

Tree Uplight

All street trees within the right of way shall be uplight with B-K HP2-PAR2020-TR-59-SAP-11-xxx-AH/CPC.



S T R E E T S C A P E E L E M E N T S

LANDSCAPE

Tree leave-outs

Paving leave-outs for street trees shall be 5' x 10' adjacent to the back of the street curb. All street trees in tree leave-outs or in head-in parking islands, shall have tree subdrainage tied to the storm drain system. In addition to the street tree, all leave outs shall contain one of the following:

Option A: A mix of shrub, perennial, ornamental grass, and groundcover planting. Plant materials shall provide a mix of height, color, texture, and evergreen structure.

Option B: Mexican Beach Stone pebbles.

A consistent treatment must be provided for a continuous block length.



Tree Leave-out Option A



Tree Leave-out Option B

Decorative Pots

Use decorative pots to accent the streetscape environment. Decorative pots must be compatible with the surrounding architectural styles. Decorative pots must be an appropriate pedestrian scale. All decorative pots shall be irrigated and have drainage tied to the storm drain system.

Recommended decorative pots:

Stonewear Zena series, SB 32 finish

Stonewear Grecian series, SB 32 finish

Rectangular metal planters



Grading

The maximum cross slope on all pedestrian walkways shall be 2%. The maximum longitudinal slope on all pedestrian walkways shall be 5%, except where the longitudinal slope of the street exceeds 5%.

Exhibit 'D': Master Tree Planting Plan
 Planned Development District 32 (PD-32) [Ordinance 10-21]

A master tree planting plan has been established for the Harbor District to ensure unifying street tree planting within the right of way and unifying tree planting within private development parcels. The following species of trees must be planted as the dominant street or parking lot tree according to the master tree planting plan. Additional landscaping and accent trees may also be used within each subdistrict. All street trees in tree leave-outs or in head-in parking islands, shall have tree subdrainage tied to the storm drain system.

Street trees within the right of way shall be the following sizes:
 Street trees in tree wells at 30' O.C. shall be 4" caliper, 100 gal.
 Street trees in parking islands at 52' O.C. shall be 8" caliper

LEGEND

- Cedar Elm
- Bald Cypress
- A mix of any of the following canopy and ornamental trees in natural groupings:
 Live Oak, Cedar Elm, Red Oak, Burr Oak, Chinquapin Oak, Bald Cypress,
 Pond Cypress, Mexican Plum, Desert Willow, Chinese Pistache, Yaupon Holly,
 Red Bud, Crape Myrtle, Vitex, Eve's Necklace
- Live Oak
- Red Oak

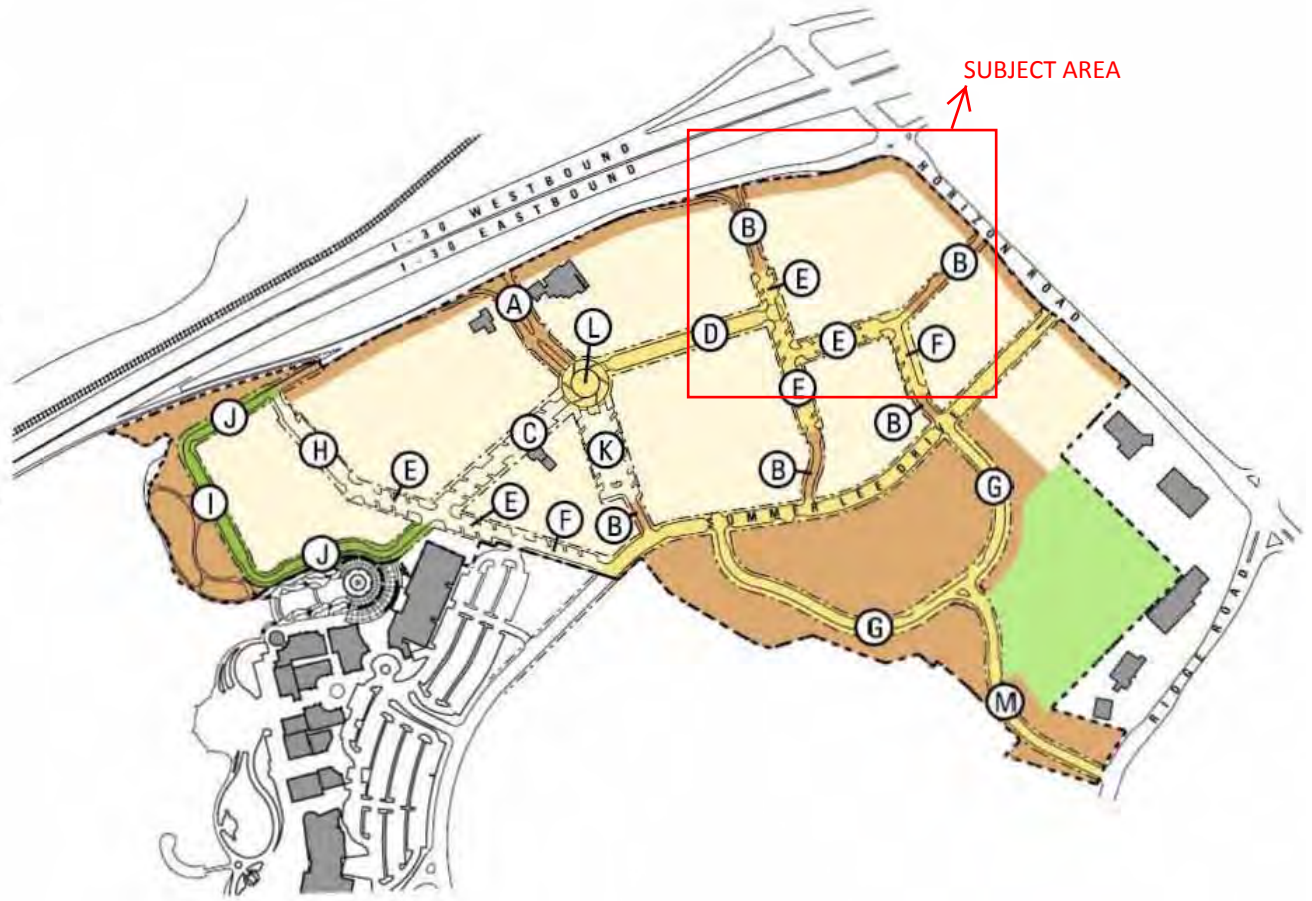
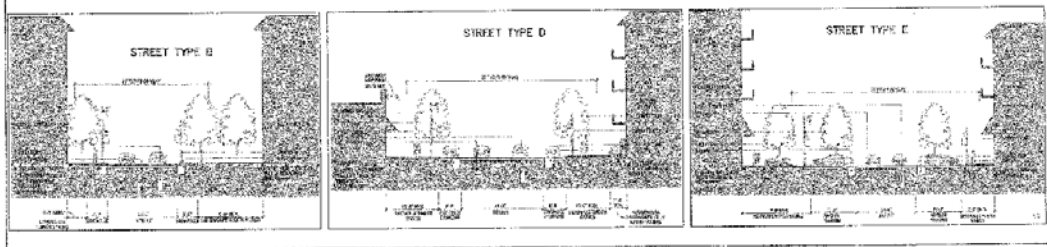
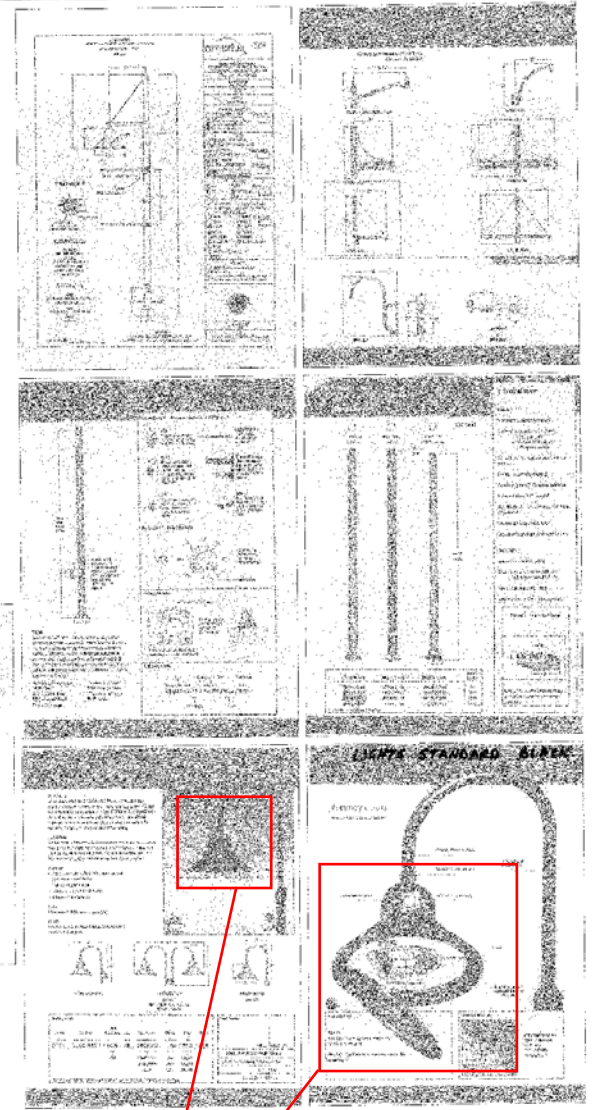
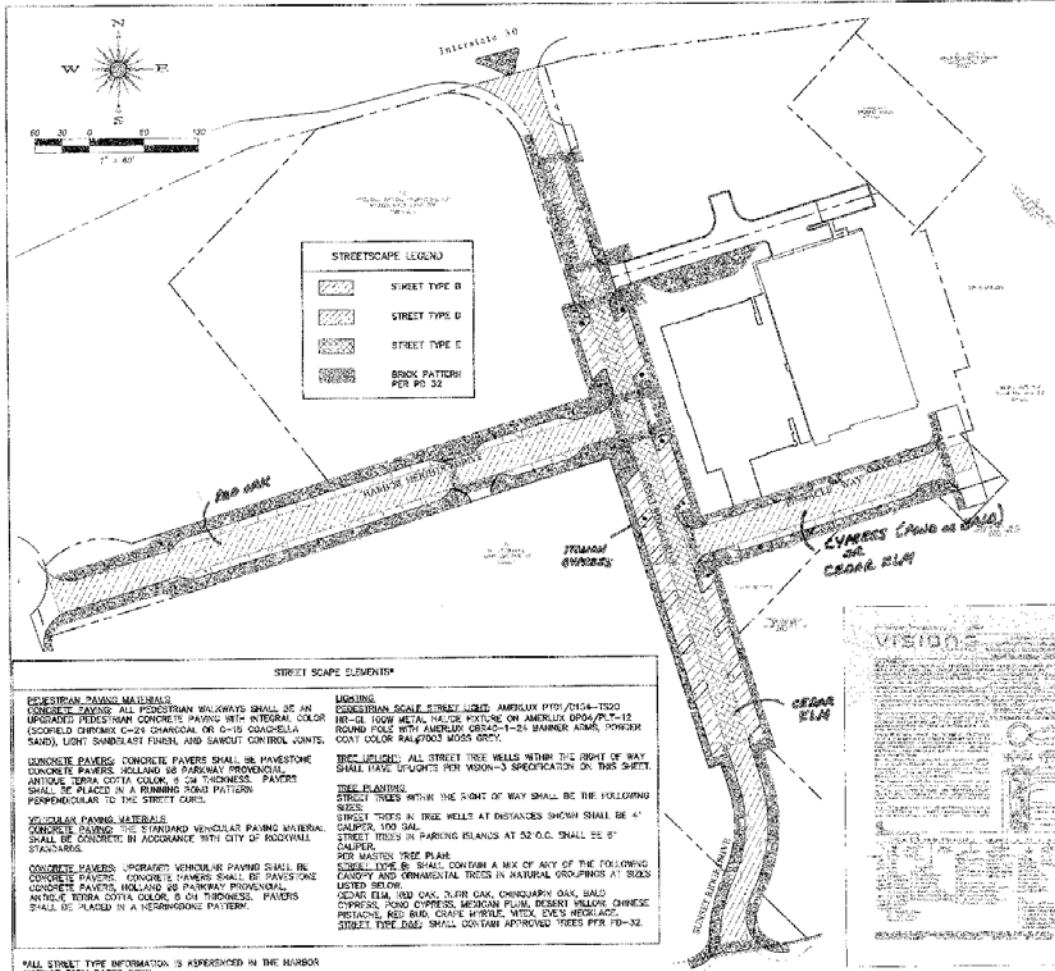


Exhibit 'E': Proposed Streetscape Plan



SUNSET RIDGE DRIVE STREET SCAPE SCHEDULE		HARBOR HEIGHTS DRIVE STREET SCAPE SCHEDULE		PINNACLE WAY STREET SCAPE SCHEDULE	
TYPE	QUANTITY	TYPE	QUANTITY	TYPE	QUANTITY
STREET TREES	21	STREET TREES	19	STREET TREES	7
STREET LIGHTS	18	STREET LIGHTS	11	STREET LIGHTS	9

CITY OF ROCKWALL
 Developer:
Starling One Construction L.L.C.
 82 Lawson Court • Heath, Texas 75043 • 409-712-9400

Harbor District Infrastructure
 Rockwall, Texas

- Civil Engineer -
F.C. CUNY CORPORATION
 11111 F.W. Cook Court • Rockwall, Texas 75087 • (972) 400-7700
 Texas Registered Engineering Firm No. 11413


Drawn By: F.C. Cuny
 Checked By: F.C. Cuny
 Date: 08/11/2011
 Project No: 11111

Overall Streetscape Plan
 Sheet No: 1 of 1
 Date: 08/11/2011

PROPOSED LIGHT FIXTURE

Exhibit 'F': Proposed Streetscape Plan




City of Rockwall
 0 50 100 Feet
 CITY OF ROCKWALL
 GEOGRAPHIC INFORMATION SYSTEMS
 Date: 11/19/2013

Legend

Proposed Trees Types

-  Cedar Elm
-  Cedar Elm or Bald Cypress
-  Italian Cypress
-  Red Oak

**HARBOR HEIGHTS
PROPOSED TREE PLAN**

Pole top luminaires with symmetrical light distribution

Housing: Two interlocking die cast aluminum housings. Heavy gauge .080" spun aluminum shade with rolled edge, finished white inside.

Arm/fitter: Arm is integrally die cast into lower luminaire housing and bolted into one piece cast aluminum fitter/pole extension with integral slip fitter. Fitter slip fits a 3" O.D. pole top and is secured by six (6) socket head stainless steel set screws threaded into stainless steel inserts.

Enclosure: Hand blown seamless three-ply opal glass with screw neck and minimum 75% transmission, fully gasketed for weather tight operation using a high temperature silicone rubber O-ring gasket.

Electrical: Lampholders are medium base porcelain with nickel plated copper screw shell supplied with 200°C high temperature leads, rated 4KV. Ballasts are magnetic, located in the base of the selected BEGA pole and are available in 120V or 208V or 240V or 277V - specify.

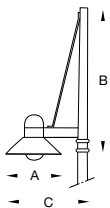
Finish: These luminaires are available in four standard BEGA colors: Black (BLK); White (WHT); Bronze (BRZ); Silver (SLV). To specify, add appropriate suffix to catalog number. Custom colors supplied on special order.

UL listed, suitable for wet locations. Protection class: IP 44.

Weight: 18 lbs.

Effective Projection Area (EPA): 2.93 ft²

Type:
 BEGA Product:
 Project:
 Voltage:
 Color:
 Options:
 Modified:



Single pole-top luminaire

	Lamp	Lumen	A	B	C
9701 MH	1 100W ED-17 MH	8800	17¾	47¼	24¾

800.364.0098 • Fax: 281.997.5441 • www.amerluxexterior.com

Description

This contemporary styled **D154-TS20 Series** combines a cast aluminum housing, a spun aluminum shade and segmented reflector to create an efficient luminaire with Type III(**HR3**) or Type V(**HR5**) light distribution. Some of the most popular brackets for use with this fixture are shown below, however there are others available in the "Brackets & Wall Luminaires" section of this catalog.

Installation

The luminaire will mount to the bracket as shown on the reverse page. Post top luminaire brackets will mount to a 3" OD post or tenon with (6) 5/16" stainless steel set screws. Wall bracket models have four 3/8" holes for mounting (wall mount hardware is not included).

Electrical

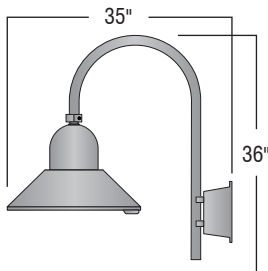
- High power factor ballast (HPF), core and coil type, pre-wired and tested
- Easy ballast pod access
- 4KV pulse rated porcelain socket
- Suitable for wet location

Lens

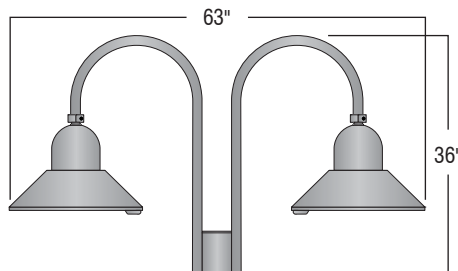
Clear smooth flat tempered glass (**GL**)

Finish

Premium quality thermoset polyester powdercoat (see Finish Selection)

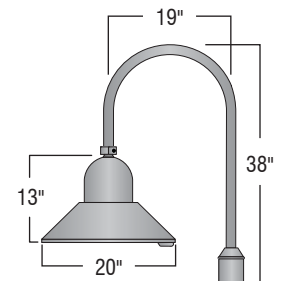


WBR03/D154-TS20



PT12/D154-TS20

EPA: 2.58
Also available in three and four light combinations.



PT01/D154-TS20

EPA: 1.23

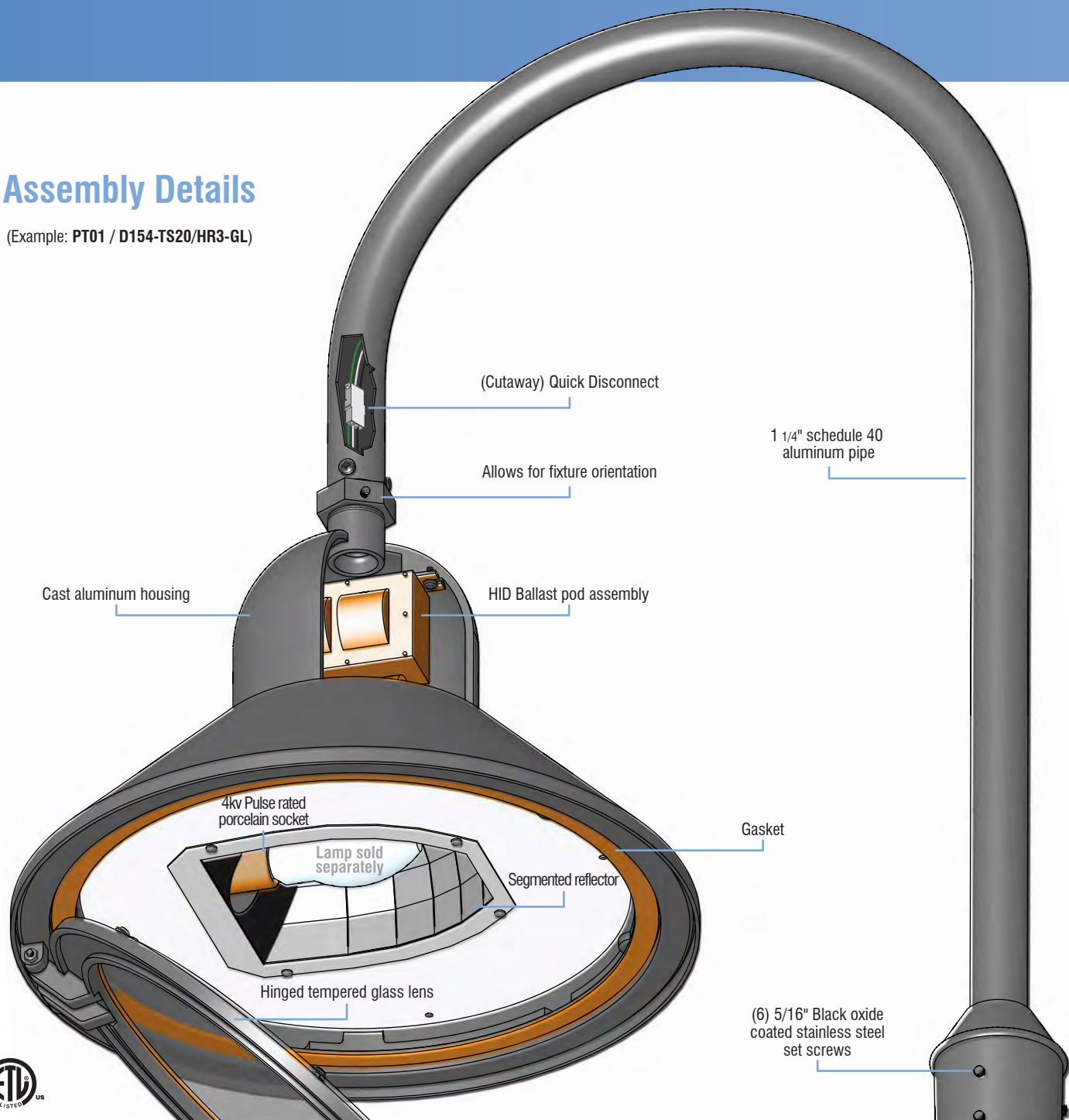
Ordering Guide							
Bracket	Luminaire	Light Distribution	Lens	Light Source	Voltage	Finish	Option
PT01	D154-TS20	HR5	GL	100HPS	120v	BLK	PCL
		HR3		50MH,70MH	208v	CLB,GRN	
				100MH,50HPS	240v	WHT,TBK	
				70HPS	277v	ATC,GTG	

Additional light sources, voltages, and custom colors are available. Contact factory for details.

Light Sources	
Wattage	Socket Type
50MH, 70MH, 100MH, 150MH	Medium
50HPS, 70HPS, 100HPS, 150HPS	Medium
PL-13	2-pin
CFL 26, 32, or 42	4-pin

Assembly Details

(Example: PT01 / D154-TS20/HR3-GL)

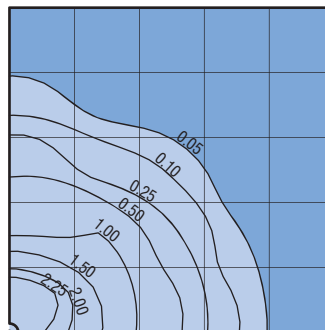


Optical Systems

Standard
(HR3-GL) - Type III segmented reflector with a clear flat tempered glass.

(HR5-GL) - Type V segmented reflector with a clear flat tempered glass.

Standard Photometry



PT01/D154-TS20/HR5
 Typical HID light source
 8,500 Lumen
 12' Mounting Height
 Grid Spacing is 12'

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager
FROM: Scott Milder, Council Member
DATE: November 27, 2013
SUBJECT: Agenda Item – Vapor Product Regulation

Please place an item on the upcoming council meeting agenda to discuss prohibiting the sale of vapor smoking products to minors in the City of Rockwall. It is my understanding that the City of Murphy recently considered a similar item. The Mansfield City Council voted unanimously to put a six-month moratorium on new e-cigarette stores while it considers where vaping fits into the city's smoking ordinance. Further north, the City of Richardson is considering a rule requiring e-cig shops to obtain a specific use permit from the City Council before opening.

Several other cities have taken action, or are considering action related to these products. A few links to articles on these actions are provided below:

http://www.huffingtonpost.com/2013/09/03/electronic-cigarettes_n_3818941.html

http://blogs.dallasobserver.com/unfairpark/2013/10/north_texas_is_stepping_up_reg.php

Because they contain no tobacco, e-cigarettes aren't subject to U.S. tobacco laws, which means they can be purchased without proof of age, especially online. This raises concerns that e-cigs may be particularly appealing to kids and may encourage nicotine addiction among young people. And while manufacturers of the e-cigarette claim that it's the cigarette you can "smoke" anywhere, regulatory agencies around the world are taking a close look at these gadgets and instituting a range of restrictions on their use. I like the idea of a 6 month moratorium while we further evaluate this.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 13-33

A RESOLUTION DECLARING A ONE HUNDRED EIGHTY (180) DAY MORATORIUM ON THE ACCEPTANCE, PROCESSING OF APPLICATIONS AND THE ISSUANCE OF PERMITS FOR THE OPERATION OF NON-TRADITIONAL SMOKING RELATED BUSINESSES IN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL; DIRECTING CITY STAFF TO INITIATE IMMEDIATE CONSIDERATION OF APPROPRIATE REGULATIONS REGARDING NON-TRADITIONAL SMOKING RELATED BUSINESSES IN THE CITY; PROVIDING FOR A METHOD OF EXPIRATION OF THIS MORATORIUM; PROVIDING A VARIANCE PROCEDURE; AND PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

WHEREAS, the City of Rockwall, Texas, (City) is a home-rule municipality located in Rockwall County, and operating pursuant to its Charter; and

WHEREAS, there is a substantial body of evidence which reveals that the smoking of tobacco is a positive danger to health and material annoyance, inconvenience, discomfort and a health hazard to those who are present in confined spaces; and

WHEREAS, the City Council passed Ordinance 86-83 regulating the smoking of cigars, cigarettes, and other traditional methods of smoking, which currently regulates the smoking of any tobacco product, weed, plant, or other combustible substance in certain public and private locations within the City; and

WHEREAS, e-cigarettes, hookahs, water-pipes, steam stones, hookah pens, and other non-traditional smoking techniques and non-traditional smoking products have quickly developed and become popular in the City, the State of Texas and the United States; and

WHEREAS, there has not been enough time to fully assess the effects of these non-traditional smoking techniques and smoking products on the public health and safety or the welfare of the citizens or to determine whether the City's existing regulations are adequate to prevent any detrimental effects of these non-traditional smoking techniques and smoking products to the public health and safety or to the welfare of the citizens; and

WHEREAS, modern health reports and analyses show that the use of these non-traditional smoking techniques and smoking products could present a risk to the public health and safety or the welfare of the citizens; and

WHEREAS, the City Council has directed staff to investigate the potential risks of these non-traditional smoking techniques and smoking products and the information to be gained from

this investigation is necessary to inform the City Council on the need to adopt regulations to mitigate these risks; and

WHEREAS, the City Council desires to maintain the status quo within the City’s corporate limits until such time as the City Council has had a reasonable opportunity to review the information gained from staff’s investigation and to take appropriate action as may be required to protect public health, safety and welfare; and

WHEREAS, a one hundred eighty (180) day moratorium placed on the acceptance, processing, and issuance of permits for non-traditional smoking related businesses in the City is a minimally intrusive method of maintaining the status quo until such review can be completed; and

WHEREAS, it is the intent of the City Council to maximize the safety of its citizens, while placing the least intrusive limits on development.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AS FOLLOWS:

SECTION 1.

- a. Effective immediately for a period of one hundred eighty (180) days, no application for the issuance of a new permit shall be accepted, no permit shall be processed, and no permit shall be issued for the operation of a non-traditional smoking related business within the corporate limits of the City.
- b. The term “permit” as used in this resolution shall mean a license, certificate, approval, registration, consent, permit or other form of authorization required by law, rule, regulation or ordinance that must be obtained by a person in order to operate or maintain a business for which the permit is sought.
- c. The term “non-traditional smoking related business” as used in this resolution shall include, but is not limited to a retail establishment whose , or other business whose principal business is the offering of a service relating to, or the selling of, renting or exhibiting of products or devices known as water pipes, hookahs, electronic cigarettes, steam stones, hookah pens or any comparable device which has historically been used to allow the inhalation of nicotine

SECTION 2. MORATORIUM The purpose of this moratorium is to maintain the status quo regarding development of non-traditional smoking related businesses, until such time as proper regulations have been adopted with regard to such businesses

SECTION 3. The City Council finds that it lacks sufficient information to determine if the application of the existing regulations is adequate to prevent any risks or detrimental effects to the public health, safety or welfare of the residents of the City from non-traditional smoking related businesses operating in the City. By studying and adopting regulations and standards for non-traditional smoking related businesses, the City Council seeks to eliminate or

minimize any potential risks to or detrimental effects on the public health, safety or welfare posed by the operation of those businesses.

SECTION 4. This moratorium shall remain in effect until such time as the City Council has had a reasonable opportunity to consider and act upon appropriate regulations governing non-traditional smoking related businesses in the City. Upon final adoption of an ordinance adopting regulations for non-traditional smoking related businesses or upon a determination by the City Council that such regulation are not appropriate, this moratorium shall expire. This moratorium shall automatically expire one hundred eighty (180) days from the date of adoption, unless it is specifically extended by additional City Council action for an additional time period.

SECTION 5. VARIANCE Any property owner that believes that the imposition of this moratorium causes a unique and unreasonable hardship upon his or her property or business, or infringes upon any rights protected by the First Amendment to the United States Constitution, shall have the right to request a variance to the provisions of this moratorium. A property owner seeking a variance shall submit a written request to the City. The request must provide the following information:

- a. A description of the property to be covered by the variance.
- b. A detailed description of the proposed use of the property.
- c. An explanation as to why the application of the moratorium is unreasonable as applied to the applicant's property.
- d. A description of any hardships created by the moratorium provision.

The City Secretary's office shall place the request for a variance on the agenda of the City Council for consideration at a public meeting. The applicant shall receive written notice of the date of the proposed hearing on the variance request. On the date that the item is set for hearing, the City Council shall conduct a public hearing on the variance request giving any individual who desires to present information or evidence to the City Council on the appropriateness or inappropriateness of the variance the opportunity to appear before the City Council and present such information. At the conclusion of the hearing, the City Council, by majority vote, may approve a variance to the provisions of this moratorium or may deny the request for variance. The approval of a variance shall entitle the applicant to submit an application for a permit otherwise subject to this moratorium and to allow that application to be processed and a permit to be issued on that application.

SECTION 6 SEVERABILITY. If any provision of this Resolution or the application thereof to any circumstance shall be held to be invalid, the remainder of this Resolution and the application thereof to other circumstances shall nevertheless be valid, and this governing body hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 7. EFFECTIVE DATE. This Resolution shall become effective immediately following its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 2nd day of DECEMBER, 2013.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager
FROM: Mary Smith, Assistant City Manager
DATE: November 27, 2013
SUBJECT: Republic Waste Request for Rate Increase

Collection Rates

The City entered into a five-year extension of the contract with Republic Waste for solid waste, recycling and brush and bulk collections dated October 1, 2010. At that time, they did not ask for a rate adjustment, with the rate having last increased January 2009. Since then, Republic requested, and Council granted, an increase in January 2012.

The contract includes methodology for future rate increase calculations and timeframes for their proposal. Specifically, the contract allows Republic to annually request an increase of the hauling portion of the rate based on the Municipal Cost Index (MCI) to be effective January 1. In addition, they may request consideration of increases in actual landfill costs during October each year for immediate implementation. For simplicity they have agreed to have Council review these requests together for January 1 implementation. Republic is proposing a 19 cent increase in their monthly residential charge. An additional 2 cents in sales tax based on this rate would be charged to residents.

Republic has provided the attached calculations and documentation to support their request for consideration of a 1.46% rate increase. The MCI increased by 2.08% over the year, of which they can request 70%. Landfill costs have not increased this year. Republic has provided the MCI tables to document their requested increase.

HHW Fee

The City Council established a 60 cent per month Household Hazardous Waste collection fee about 10 years ago. The fee increased to 64 cents in 2012. While Republic has included this fee on their attachments, the funds are held by the City and are paid to the hazardous waste collection company based on collection volumes.

To summarize, the rates proposed for residential collection would be:

	Current Rate		Proposed Rate
Residential Service	12.60		12.78
Street Use Fee(paid to City)	.62		.63
HHW Fee	<u>.64</u>		<u>.64</u>
Subtotal	13.82		14.05
Sales Tax	<u>1.14</u>		<u>1.16</u>
Total	\$ 15.00		\$15.21

Commercial disposal rates are set by City Council based on container size and frequency of service. Republic has requested the above calculated increase of 1.46%. The rate table for commercial service is attached for your consideration.

Staff has reviewed Republic's calculations and determined they are consistent with the contract specifications. Rates if approved by Council would take effect for solid waste collections after January 1, 2014.



October 16, 2013

Mary Smith
Assisted City Manager
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

Re: Modification to Rates:

Dear Ms. Smith,

Republic Services (RS) is pleased to be the provider of solid waste and recycling services to the City of Rockwall and appreciates your patronage. We enjoy working with the community and look forward to continuing our partnership in the years to come.

This letter is to notify you of the annual rate adjustment for your city. The most recent copy of the Municipal Cost Index indicates an increase of 1.46%. The following page details our calculations of the increase.

The MCI adjustment shows a total of \$0.19 increase per home. We request this to be effective January 1, 2014.

We hope that you will agree that our service provides your community with superior quality solid waste and recycling collection. We look forward to our continued partnership.

Sincerely,
Republic Services

A handwritten signature in cursive script that reads "Brenda Lalonde".

Brenda Lalonde
Division Municipal Services Manager

cc: Rick Bernas
General Manager

CITY OF ROCKWALL Rate Schedule EFFECTIVE JAN 1, 2014

CITY BILLS RESIDENTIAL

Residential Twice per week collection Twice per month brush/bulky	\$11.42	
		\$13.41 RSG RATE
Residential Recycle Once per week 18 gallon bin collection	\$1.99	
City HHW Fee	\$0.64	
Resi Total	\$14.05	

Polycart extra \$ 3.55

Commercial Twice per week hand collection	\$15.45
--	----------------

Commercial	1	2	3	4	5	6	Extra
2yd	\$71.93	\$133.07	\$0.00	\$0.00	\$0.00	\$0.00	\$40.58
3yd	\$82.21	\$152.07	\$0.00	\$0.00	\$0.00	\$0.00	\$45.66
4yd	\$102.76	\$190.10	\$264.35	\$0.00	\$0.00	\$0.00	\$50.73
6yd	\$123.31	\$228.14	\$317.23	\$392.98	\$0.00	\$0.00	\$60.87
8yd	\$154.15	\$285.17	\$396.63	\$491.20	\$571.67	\$640.04	\$71.02

Roll Off	
20yd	\$428.73
30yd	\$450.81
40yd	\$467.70
Del/Exc	\$149.41
Daily renta	\$3.91

Compactors	
30yd pkr	\$ 480.69
35yd pkr	\$ 518.37
42yd pkr	\$ 518.37

**Rental Range from \$1.00 to \$ 600.00 month
Determined by age, type, size of compactor
Installation not included**

RATES INCLUDE STREET USE FEES AS DESCRIBED IN THE CONTRACT

CITY ADMINISTRATION FEE WILL BE USED TO SUBSIDIZE EXPENSES RELATED TO SPONSORSHIP OF HAZARDOUS WASTE COLLECTION.

Municipal Cost Index (MCI)	
MCI	
Sept 2013	230.40
Sept 2012	225.70
change	4.70
% change	2.08%
Cost Factor	70.00%
Net Increase	1.46%
Disposal	
October	21.50
October	21.50
change	0.00
% change	0.00%
Cost Factor	30.00%
Net Increase	0.00%
Total Increase	1.46%

	Current Rate	Proposed Rate	Current Rate	Proposed Rate
Rate	Garbage	Garbage	Recycling	Recycling
	11.26	11.42	1.96	1.99
	HHW	0.64		
	New Rate	14.05		
Cart rental	\$ 3.50	\$ 3.55		
				\$ 0.19 Actual Increase

Commercial hand collect

	15.23
New Rate	15.45

New Commercial rates

	1	2	3	4	5	6	Extra
2yd	\$71.93	\$133.07	\$0.00	\$0.00	\$0.00	\$0.00	\$40.58
3yd	\$82.21	\$152.07	\$0.00	\$0.00	\$0.00	\$0.00	\$45.66
4yd	\$102.76	\$190.10	\$264.35	\$0.00	\$0.00	\$0.00	\$50.73
6yd	\$123.31	\$228.14	\$317.23	\$392.98	\$0.00	\$0.00	\$60.87
8yd	\$154.15	\$285.17	\$396.63	\$491.20	\$571.67	\$640.04	\$71.02

New Industrial Rate

Roll Off 20yd	\$428.73	30yd pkr	\$480.69
30yd	\$450.81	35yd pkr	\$518.37
40yd	\$467.70	42yd pkr	\$518.37
		Del/Exc	\$149.41
		Daily rent	\$3.91

Current Rates

	1	2	3	4	5	6	Extra
2yd	\$70.90	\$131.16	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00
3yd	\$81.03	\$149.89	\$0.00	\$0.00	\$0.00	\$0.00	\$45.00
4yd	\$101.28	\$187.37	\$260.55	\$0.00	\$0.00	\$0.00	\$50.00
6yd	\$121.54	\$224.86	\$312.67	\$387.33	\$0.00	\$0.00	\$60.00
8yd	\$151.94	\$281.07	\$390.93	\$484.14	\$563.46	\$630.84	\$70.00

Roll Off 20yd	\$422.57	30yd pkr	\$473.78
30yd	\$444.33	35yd pkr	\$510.92
40yd	\$460.98	42yd pkr	\$510.92
		Del/Exc	\$147.26
		Daily renta	\$3.85

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City of Rockwall
The New Horizon

Building Inspections Department Monthly Report

October 2013

Permits

Total Permits Issued: 312
Building Permits 35 Contractor Permits 277

Total Permit Values: \$ 13,068,889.92
Building Permits \$ 108,313.08 Contractor Permits \$ 12,960,576.84

Total Fees Collected: \$ 138,948.03
Building Permits \$ 116,544.79 Contractor Permits \$ 22,403.24

Board of Adjustment

Board of Adjustment Cases 0

PERMITS ISSUED - Summary by Type and Subtype
For the Period 10/1/2013 thru 10/31/2013

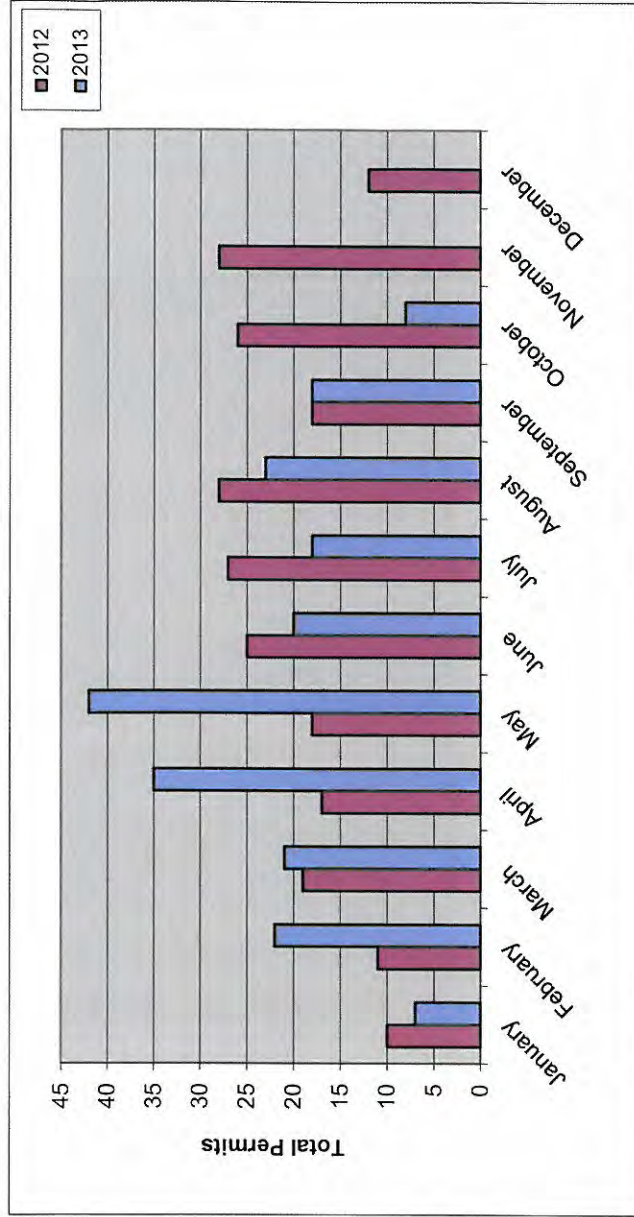
Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	10	\$0.00	\$501.50
30 DAY BANNER	10	\$0.00	\$501.50
CLEAN SHOW	2	\$0.00	\$151.50
CO	6	\$0.00	\$450.00
BUSINESS	5	\$0.00	\$375.00
NEW CONSTRUCTION	1	\$0.00	\$75.00
COMM	20	\$9,558,360.00	\$76,861.87
ALTERATION	1	\$300.00	\$35.70
DEMO	2	\$14,000.00	\$101.50
ELECTRICAL	3	\$1,026,630.00	\$5,936.53
FENCE	1	\$358,700.00	\$110.00
INTERIOR COMP	2	\$725,000.00	\$4,950.50
IRRIGATION	1	\$16,880.00	\$36.50
MECHANICAL	1	\$14,700.00	\$262.75
MISCELLANEOUS	2	\$8,000.00	\$168.05
NEW	1	\$7,225,000.00	\$63,187.74
PLUMBING	3	\$4,150.00	\$186.10
REMODEL	3	\$165,000.00	\$1,886.50
FILL	1	\$0.00	\$0.00
STOCKPILE	1	\$0.00	\$0.00
NONPROFIT SIGN	1	\$0.00	\$0.00
NONPROFIT SIGN PERMI	2	\$0.00	\$0.00
SIGNAGE	20	\$1,000.00	\$2,703.00
CANOPY	1	\$0.00	\$75.00
DEVELOPMENT	1	\$1,000.00	\$75.00
MONUMENT	1	\$0.00	\$75.00
POLE	2	\$0.00	\$75.00
WALL	15	\$0.00	\$2,403.00
SINGLE FAMILY	230	\$3,509,529.92	\$57,817.16
ACC BLDG	6	\$19,695.00	\$367.85
ADDITION	3	\$452,000.00	\$3,491.25
ALTERATION	1	\$15,000.00	\$268.01
BALCONY	1	\$23,000.00	\$382.25
CONCRETE	8	\$28,500.00	\$841.22
DECK	1	\$1,500.00	\$65.50
DEMO	1	\$0.00	\$51.50
ELECTRICAL	4	\$10,290.00	\$357.63
FENCE	69	\$161,150.16	\$2,462.70
IRRIGATION	55	\$101,000.00	\$1,931.30
MECHANICAL	11	\$86,472.00	\$1,848.24
NEW	8	\$2,078,584.00	\$39,835.96
PATIO COVER	7	\$68,229.00	\$1,333.53
PLUMBING	25	\$31,887.00	\$1,391.57
POLE	1	\$0.00	\$275.00
REMODEL	3	\$82,500.00	\$1,187.75
RETAINING WALL	6	\$20,300.00	\$212.70
ROOF	9	\$77,034.51	\$318.70

PERMITS ISSUED - Summary by Type and Subtype
For the Period 10/1/2013 thru 10/31/2013

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
SWIM POOL	7	\$241,000.00	\$1,053.00
WINDOWS	4	\$11,388.25	\$141.50
SPECIAL EVENT	20	\$0.00	\$463.00
	20	\$0.00	\$463.00
Totals:	312	\$13,068,889.92	\$138,948.03

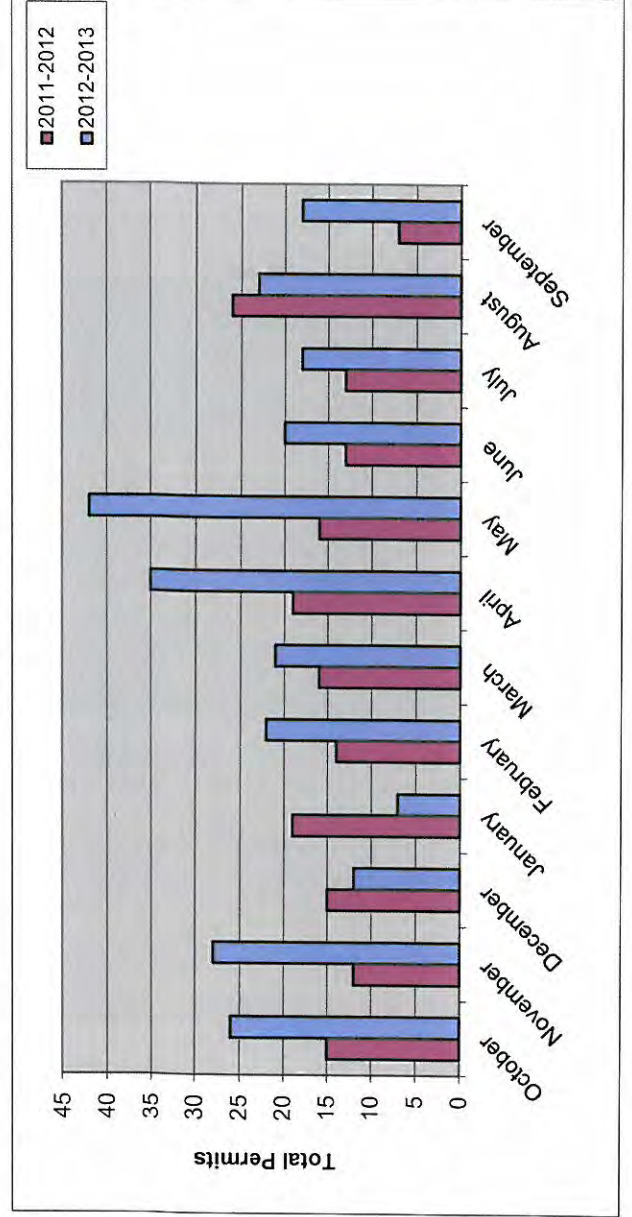
New Residential Permits Calendar Year

	Year	
	2012	2013
January	10	7
February	11	22
March	19	21
April	17	35
May	18	42
June	25	20
July	27	18
August	28	23
September	18	18
October	26	8
November	28	
December	12	
Totals	239	214



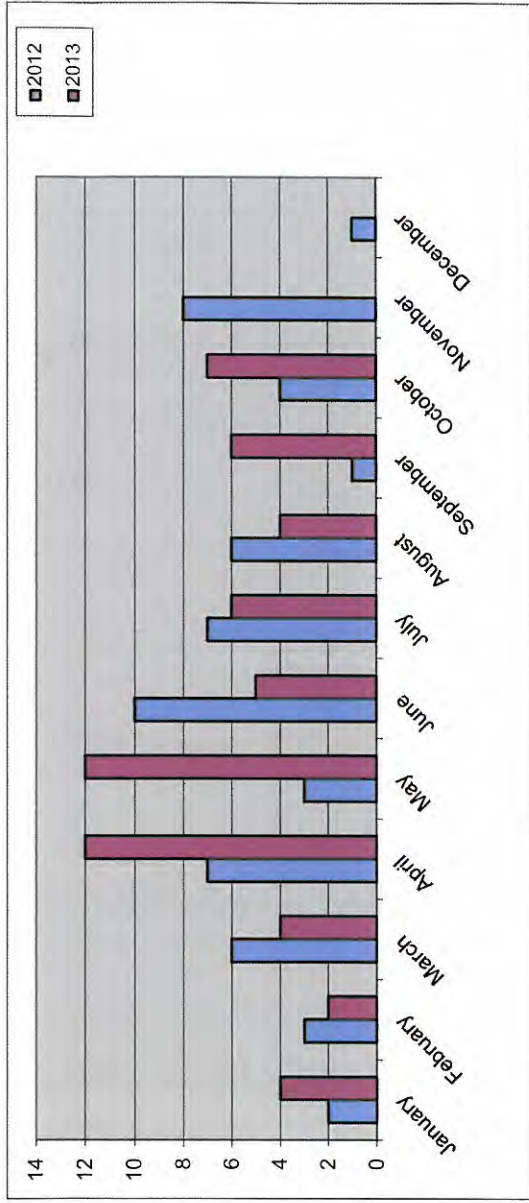
New Residential Permits Fiscal Year

	Year	
	2011-2012	2012-2013
October	15	26
November	12	28
December	15	12
January	19	7
February	14	22
March	16	21
April	19	35
May	16	42
June	13	20
July	13	18
August	26	23
September	7	18
Totals	185	272



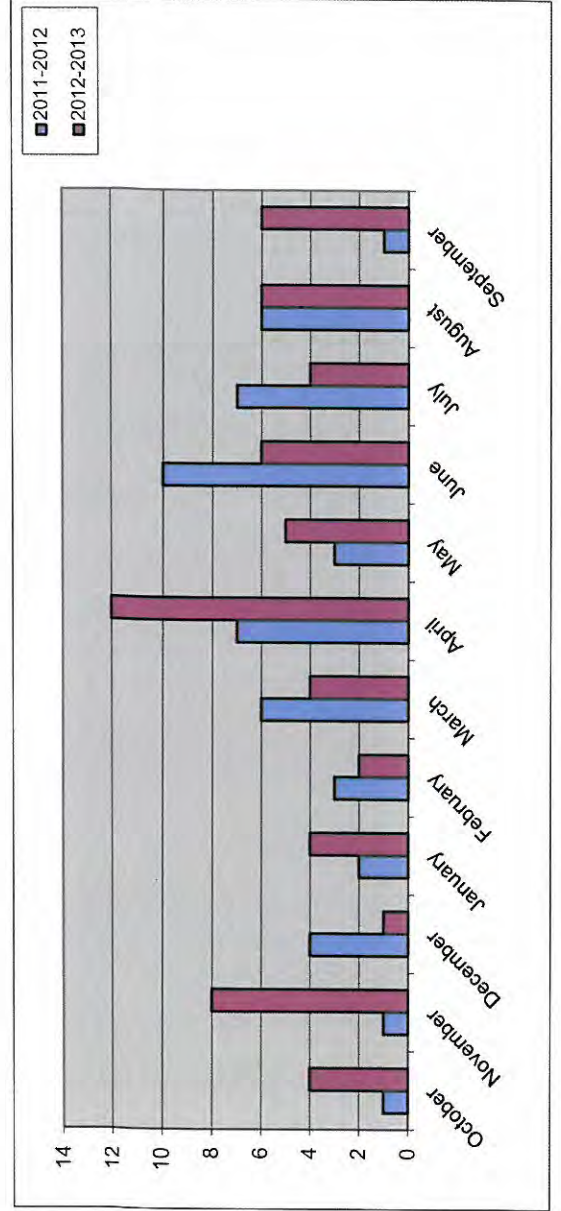
Residential Remodel Permits Calendar Year

	Year	
	2012	2013
January	2	4
February	3	2
March	6	4
April	7	12
May	3	12
June	10	5
July	7	6
August	6	4
September	1	6
October	4	7
November	8	
December	1	
Totals	58	62



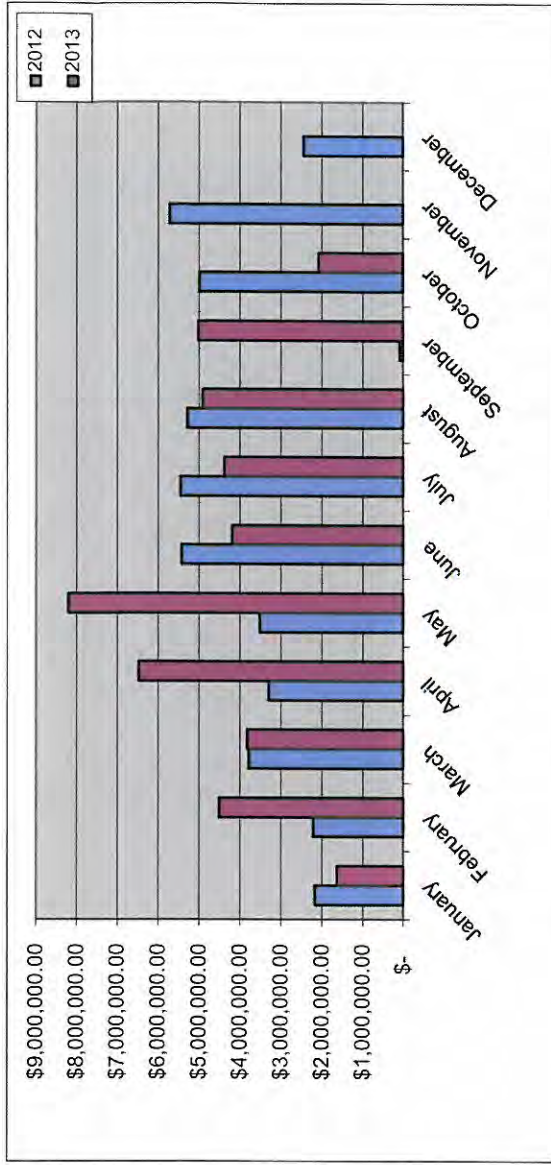
Residential Remodel Permits Fiscal Year

	Year	
	2011-2012	2012-2013
October	1	4
November	1	8
December	4	1
January	2	4
February	3	2
March	6	4
April	7	12
May	3	5
June	10	6
July	7	4
August	6	6
September	1	6
Totals	51	62



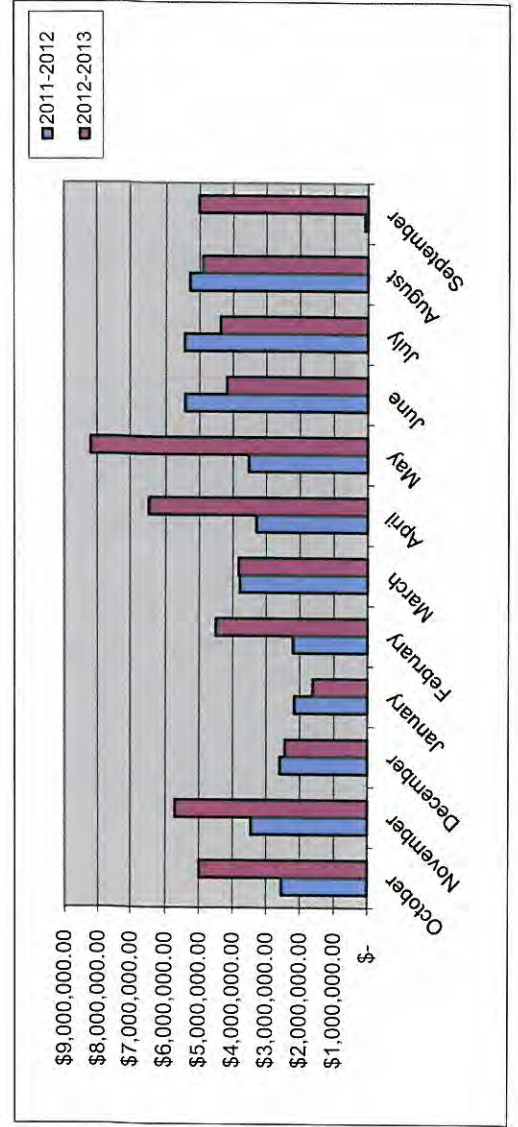
New Residential Value Calendar Year

	Year	
	2012	2013
January	\$ 2,166,648.00	\$ 1,625,808.00
February	\$ 2,205,704.00	\$ 4,506,220.00
March	\$ 3,782,280.00	\$ 3,823,384.00
April	\$ 3,294,042.00	\$ 6,469,868.00
May	\$ 3,514,280.00	\$ 8,193,211.00
June	\$ 5,433,888.00	\$ 4,185,842.00
July	\$ 5,456,242.00	\$ 4,382,866.00
August	\$ 5,293,062.00	\$ 4,906,203.00
September	\$ 85,460.46	\$ 5,018,954.00
October	\$ 4,993,587.00	\$ 2,078,584.00
November	\$ 5,718,696.00	
December	\$ 2,441,748.00	
Totals	\$44,385,637.46	\$ 45,190,940.00



New Residential Value Fiscal Year

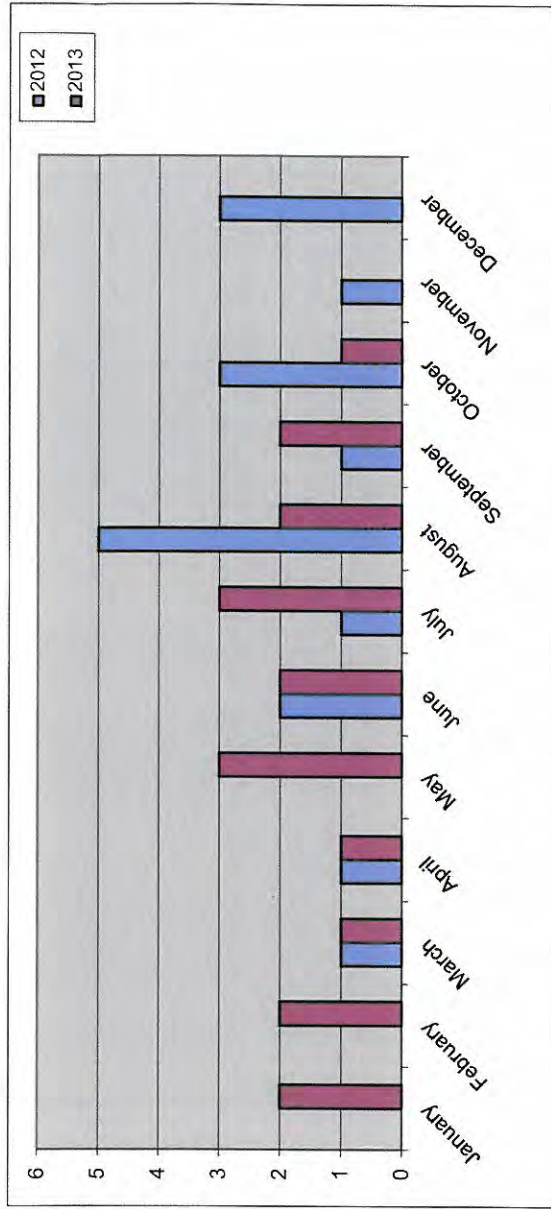
	Year	
	2011-2012	2012-2013
October	\$ 2,544,320.00	\$ 4,993,587.00
November	\$ 3,453,416.00	\$ 5,718,696.00
December	\$ 2,585,762.00	\$ 2,441,748.00
January	\$ 2,166,648.00	\$ 1,625,808.00
February	\$ 2,205,704.00	\$ 4,506,220.00
March	\$ 3,782,280.00	\$ 3,823,384.00
April	\$ 3,294,042.00	\$ 6,469,868.00
May	\$ 3,514,280.00	\$ 8,193,211.00
June	\$ 5,433,888.00	\$ 4,185,842.00
July	\$ 5,456,242.00	\$ 4,382,866.00
August	\$ 5,293,062.00	\$ 4,906,203.00
September	\$ 85,460.46	\$ 5,018,954.00
Totals	\$39,815,104.46	\$ 56,266,387.00



New Commercial Permits

Calendar Year

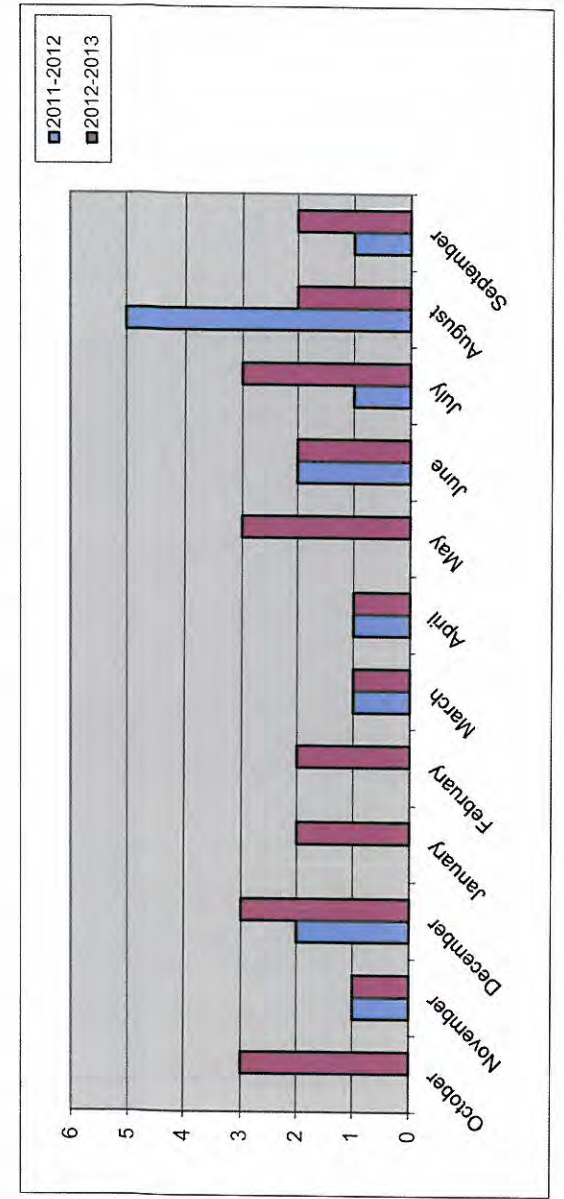
	Year	
	2012	2013
January	0	2
February	0	2
March	1	1
April	1	1
May	0	3
June	2	2
July	1	3
August	5	2
September	1	2
October	3	1
November	1	
December	3	
Totals	18	19



New Commercial Permits

Fiscal Year

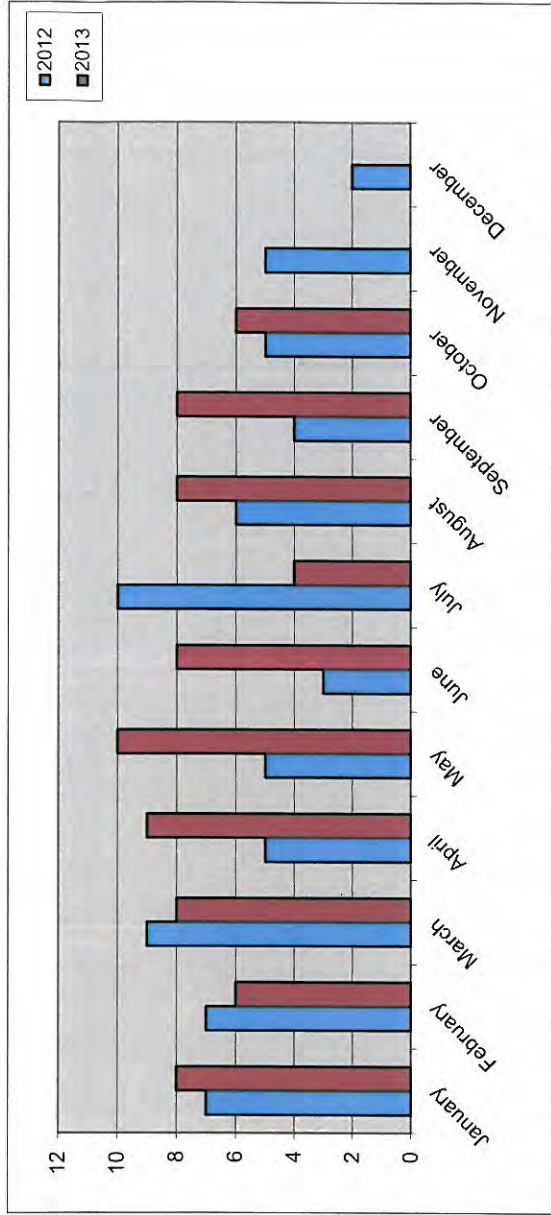
	Year	
	2011-2012	2012-2013
October	0	3
November	1	1
December	2	3
January	0	2
February	0	2
March	1	1
April	1	1
May	0	3
June	2	2
July	1	3
August	5	2
September	1	2
Totals	14	25



Commercial Remodel Permits

Calendar Year

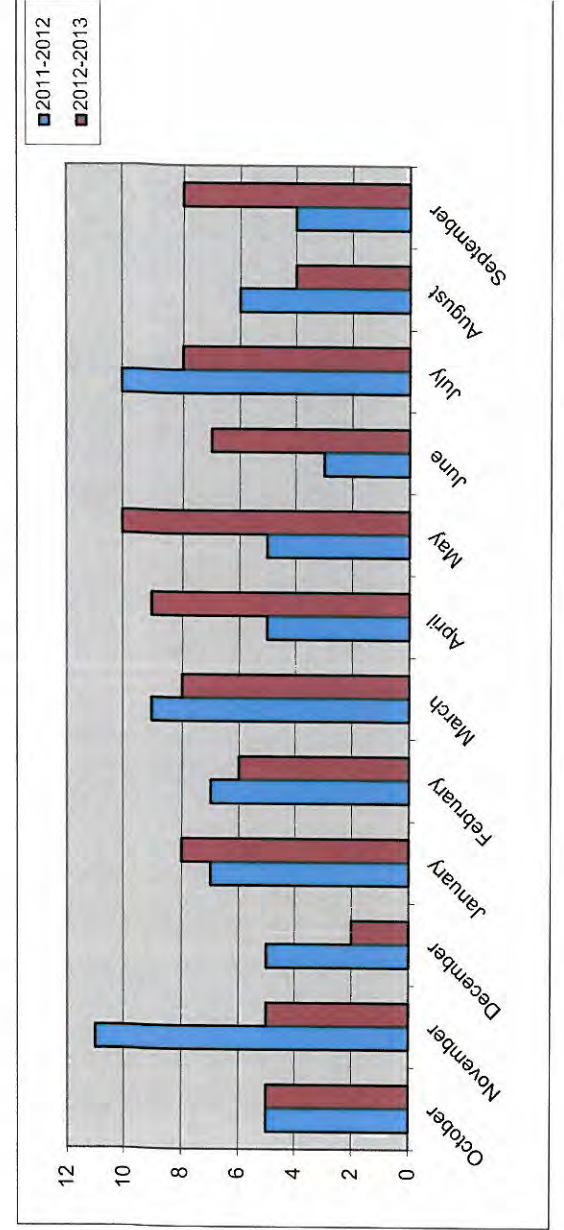
	Year		Totals
	2012	2013	
January	7	8	68
February	7	6	
March	9	8	
April	5	9	
May	5	10	
June	3	8	
July	10	4	
August	6	8	
September	4	8	
October	5	6	
November	5		
December	2		
Totals	68	75	



Commercial Remodel Permits

Fiscal Year

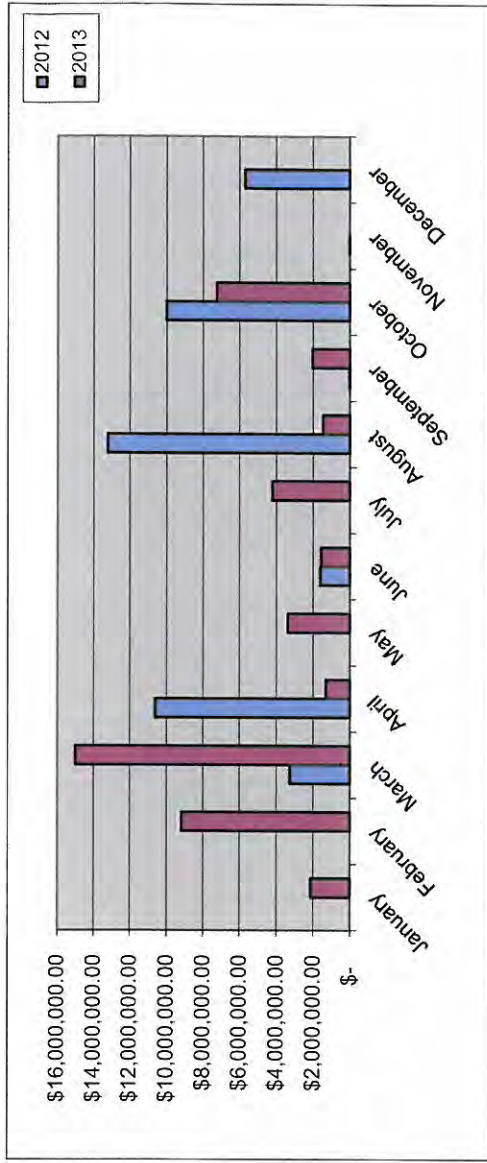
	Year		Totals
	2011-2012	2012-2013	
October	5	5	77
November	11	5	
December	5	2	
January	7	8	
February	7	6	
March	9	8	
April	5	9	
May	5	10	
June	3	7	
July	10	8	
August	6	4	
September	4	8	
Totals	77	80	



New Commercial Value

Calendar Year

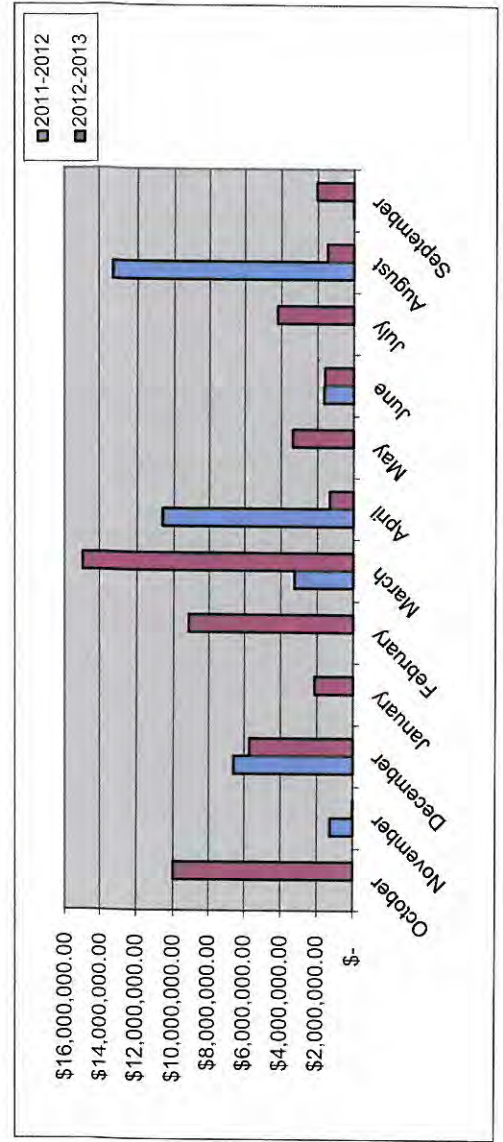
	Year	
	2012	2013
January	\$ -	\$ 2,125,000.00
February	\$ -	\$ 9,150,000.00
March	\$ 3,260,000.00	\$ 15,000,000.00
April	\$ 10,610,776.00	\$ 1,300,000.00
May	\$ -	\$ 3,372,000.00
June	\$ 1,620,000.00	\$ 1,575,000.00
July	\$ -	\$ 4,200,000.00
August	\$ 13,227,483.00	\$ 1,454,000.00
September	\$ 15,000.00	\$ 2,040,000.00
October	\$ 10,000,000.00	\$ 7,225,000.00
November	\$ 5,000.00	
December	\$ 5,700,000.00	
Totals	\$ 44,438,259.00	\$ 47,441,000.00



New Commercial Value

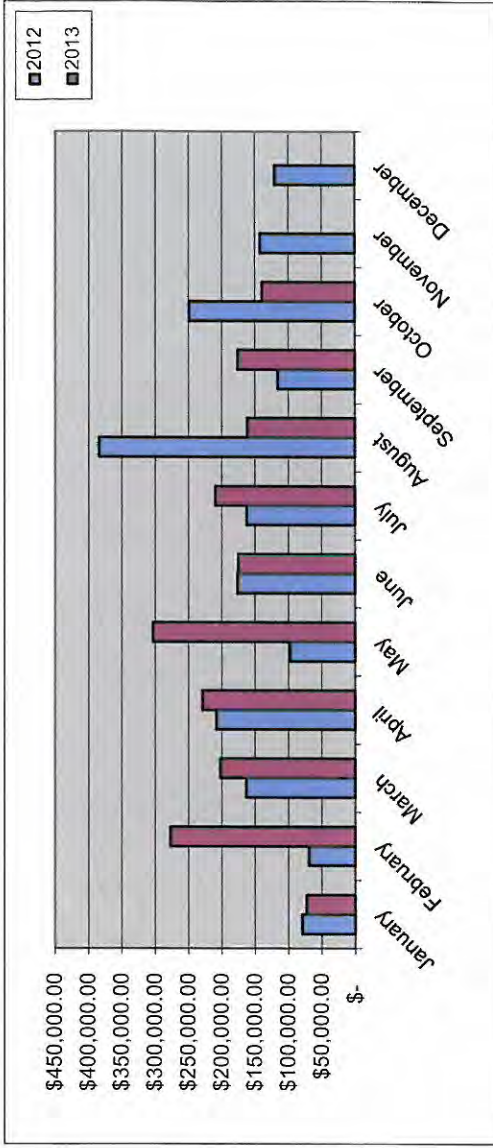
Fiscal Year

	Year	
	2011-2012	2012-2013
October	\$ -	\$ 10,000,000.00
November	\$ 1,250,000.00	\$ 5,000.00
December	\$ 6,595,000.00	\$ 5,700,000.00
January	\$ -	\$ 2,125,000.00
February	\$ -	\$ 9,150,000.00
March	\$ 3,260,000.00	\$ 15,000,000.00
April	\$ 10,610,776.00	\$ 1,300,000.00
May	\$ -	\$ 3,372,000.00
June	\$ 1,620,000.00	\$ 1,575,000.00
July	\$ -	\$ 4,200,000.00
August	\$ 13,227,483.00	\$ 1,454,000.00
September	\$ 15,000.00	\$ 2,040,000.00
Totals	\$ 36,578,259.00	\$ 55,921,000.00



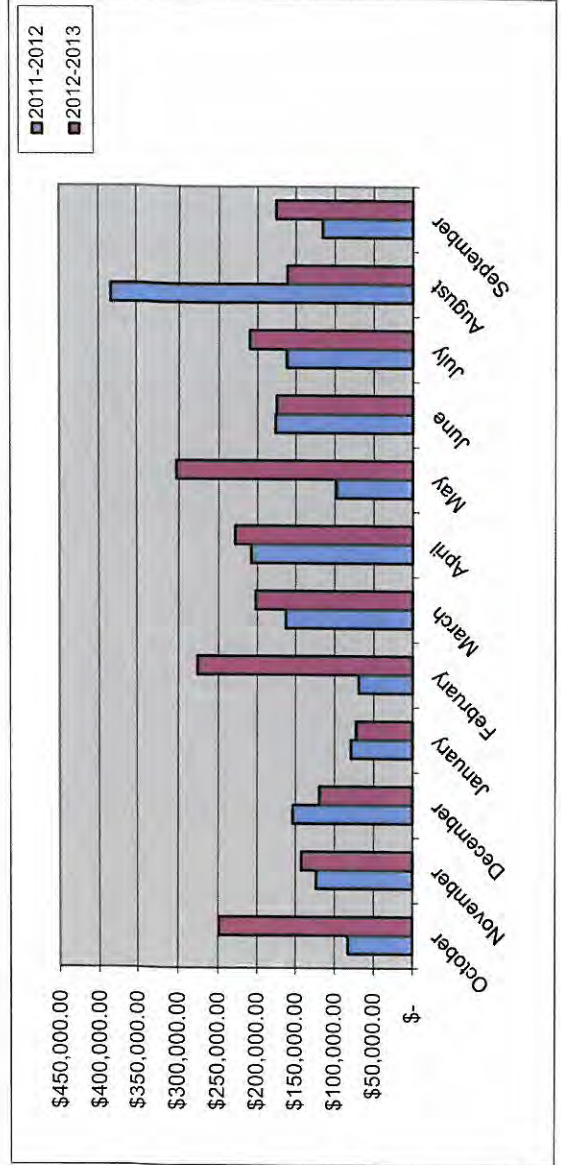
Total Fees Collected Calendar Year

	Year	
	2012	2013
January	\$ 78,907.85	\$ 72,345.98
February	\$ 69,014.00	\$ 276,902.10
March	\$ 162,980.05	\$ 201,529.43
April	\$ 207,705.63	\$ 228,621.67
May	\$ 97,570.58	\$ 302,928.73
June	\$ 176,481.23	\$ 174,872.41
July	\$ 162,058.27	\$ 209,566.63
August	\$ 383,849.86	\$ 161,080.17
September	\$ 115,737.66	\$ 175,835.03
October	\$ 248,932.46	\$ 138,771.53
November	\$ 142,356.98	
December	\$ 119,604.19	
Totals	\$ 1,965,198.76	\$ 1,942,453.68



Total Fees Collected Fiscal Year

	Year	
	2011-2012	2012-2013
October	\$ 82,438.82	\$ 248,932.46
November	\$ 123,794.85	\$ 142,356.98
December	\$ 153,543.45	\$ 119,604.19
January	\$ 78,907.85	\$ 72,345.98
February	\$ 69,014.00	\$ 276,902.10
March	\$ 162,980.05	\$ 201,529.43
April	\$ 207,705.63	\$ 228,621.67
May	\$ 97,570.58	\$ 302,928.73
June	\$ 176,481.23	\$ 174,872.41
July	\$ 162,058.27	\$ 209,566.63
August	\$ 383,849.86	\$ 161,080.17
September	\$ 115,737.66	\$ 175,835.03
Totals	\$ 1,814,082.25	\$ 2,314,575.78



City of Rockwall
PERMITS ISSUED

For the Period 10/1/2013 thru 10/31/2013

Permit Number	Permit Type	Site Address	Parcel Number	Valuation	Total Fees	Fees Paid
Application Date	Subtype	Subdivision Name	Subdivision Name		Total SQFT	
Issue Date	Status of Permit	Plan Number				
CO2013-0113	CO	1785 IH 30 101		0.00	\$ 75.00	\$ 75.00
8/23/2013	BUSINESS				0	
10/14/2013	ACTIVE	T.R.A.M. of Rockwall				
Contact Type	Contact Name	Contact Address			Phone Number	
OWNER	OLLOM, GREGORY D		ROCKWALL	TX	75087	
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					
INSPECTOR3	Larry Daniel					
BUS OWNER	Richard Brown	1785 IH 30 #101	ROCKWALL	TX	75087	(903) 268-8813
BUSINESS	T.R.A.M. of Rockwall					
CO2013-0127	CO	1102 IH 30		0.00	\$ 75.00	\$ 75.00
9/26/2013	NEW CONSTRUCTION	ROCKWALL LIBRARY ADDITION			0	
10/3/2013	ACTIVE	MidSouth Bank				
Contact Type	Contact Name	Contact Address			Phone Number	
OWNER	CPI, MORTGAGE INVESTORS	C/O CARDINAL PARAGON INC	DALLAS	TX	75225	
APPLICANT	Rob Sarnelli - mg Architects					(713) 552-0707
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					
INSPECTOR3	Larry Daniel					
BUS OWNER	Craig Guidry	1214 St. Charles st.	Houma	LA	70360	(800) 213-2265
BUSINESS	MidSouth Bank					
CO2013-0132	CO	621 WHITE HILLS		0.00	\$ 75.00	\$ 75.00
10/7/2013	BUSINESS	SHAFER PLAZA - CITY OF ROCKWALL			0	
10/11/2013	ACTIVE	Top Feet				
Contact Type	Contact Name	Contact Address			Phone Number	
OWNER	EVANS, JIMMIE		PLANO	TX	75093	
APPLICANT	Cheng Zhang	621 Whitehills Dr.	Rockwall	TX	75087	(818) 300-8892
BUS OWNER	Cheng Zhang	621 Whitehills Dr.	Rockwall	TX	75087	(818) 300-8892
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					
INSPECTOR3	Larry Daniel					
CO2013-0134	CO	811 YELLOW JACKET 116		0.00	\$ 75.00	\$ 75.00
10/8/2013	BUSINESS	ROCKWALL BUSINESS PARK			0	
10/25/2013	ACTIVE	E-CIGGS @777 SUPPLY				
Contact Type	Contact Name	Contact Address			Phone Number	
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					
INSPECTOR3	Larry Daniel					

City of Rockwall
PERMITS ISSUED

For the Period 10/1/2013 thru 10/31/2013

Permit Number	Permit Type	Site Address	Parcel Number	Subdivision Name	Valuation	Total Fees	Fees Paid
Application Date	Subtype	Subdivision Name	Subdivision Name	Subdivision Name		Total SQFT	Fees Paid
Issue Date	Status of Permit	Plan Number	Plan Number	Plan Number			
BUS OWNER	CHRISTOPHER RASMUSSEN	2101 MEADFOOT RD.	2101 MEADFOOT RD.	Carrollton	TX	75007	(817) 217-7988
BUSINESS	E-CIGGS @777 SUPPLY	811 YELLOW JACKET # 116	811 YELLOW JACKET # 116	ROCKWALL	TX	75087	(817) 217-7988
OWNER	CHRISTOPHER RASMUSSEN	2101 MEADFOOT RD.	2101 MEADFOOT RD.	Carrollton	TX	75007	(817) 217-7988
APPLICANT	CHRISTOPHER RASMUSSEN	2101 MEADFOOT RD.	2101 MEADFOOT RD.	Carrollton	TX	75007	(817) 217-7988

CO2013-0135	CO	481 IH 30 E	481 IH 30 E			0.00	\$ 75.00	\$ 75.00
10/9/2013	BUSINESS	CARLISLE PLAZA ADDN	CARLISLE PLAZA ADDN				0	
10/28/2013	ACTIVE	BEST FOOT SPA	BEST FOOT SPA					

Contact Type	Contact Name	Contact Address	Phone Number
OWNER	BENT, TREE REALTY CO	ADDISON TX 75001	
INSPECTOR1	Rusty McDowell		
INSPECTOR2	John Shannon		
INSPECTOR3	Larry Daniel		
APPLICANT	Junli Zhang	970 W Yellow Jacket , apt# 715 Rockwall TX 75087	(972) 722-0917
BUS OWNER	Junli Zhang	481 IH 30 Rockwall TX 75087	(972) 722-0917
BUSINESS	Best Foot Spa		

CO2013-0138	CO	890 ROCKWALL PKWY 115	890 ROCKWALL PKWY 115			0.00	\$ 75.00	\$ 75.00
10/15/2013	BUSINESS	PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION	PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION				0	
10/23/2013	ACTIVE	LAKES REGIONAL MHMR CENTER	LAKES REGIONAL MHMR CENTER					

Contact Type	Contact Name	Contact Address	Phone Number
OWNER	ROCKWALL, MEDICAL PROPE	C/O TED BARR MANAGING MEM MIDDLEBURG HEIC OH 44130	
INSPECTOR1	Rusty McDowell		
INSPECTOR2	John Shannon		
INSPECTOR3	Larry Daniel		
BUS OWNER	ROCKWALL MEDICAL PROER	890 ROCKWALL PKWY Rockwall TX 75032	
BUSINESS	LAKES REGIONAL MHMR CEI		

6 Permits Issued from: 10/1/2013 Thru: 10/31/2013

Total Valuation: \$ 0.00
Total Fees: \$ 450.00
Total Fees Paid: \$ 450.00

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City of Rockwall
The New Tradition

Oct-13

CALLS BY TYPE

CITY CALLS Situation Type	October #
Public service - Non paged	5
No incident found on arrival	3
Dispatched & canceled enroute	2
Unauthorized burning	1
Public service	2
Assist police or oth gov agency	17
Smoke or odor removal	1
Power line down	1
Heat from short circuit wiring	2
Electrical wiring/equipment pr	2
Carbon monoxide detector act	1
Alarm sys act, no fire Uninten	7
Smoke detector activate, no fi	3
Sprinkler activate, no fire -	1
Unintentional trans. of alarm	2
CO detector act due to malf	3
Alarm system sounded malfun	3
Smoke detector act. malf.	3
Sprinkler action due to malf	1
HazMat release investigation	1
Smoke scare, odor of smoke	2
Medical assist, assist EMS crew	1
Outside equipment fire	1
Passenger vehicle fire	2
Building fire	2
Gas leak natural gas or LPG	4
Confined space rescue	1
Motor vehicle acc with inj	1
Totals:	75

COUNTY OF ROCKWALL Situation Type	October #
Medical assist, assist EMS crew	1

COLLIN COUNTY Authorized Control Burn	October #
Authorized Control Burn	1

To: Chief Poindexter
From: BC Merritt
Re: October 2013 Structure Fire Report.
Date: November 14, 2013

214 Joe White

We responded to a report of a fire at 214 Joe White on October 06, 2013. The first unit on scene arrived and reported light smoke showing from the exterior. Upon entry into the residence and further investigation the firefighters discovered a fire which had started as a result of a candle left unattended. The fire was quickly extinguished. There was some damage to the residence due to water and fire. No firefighter injuries were reported on this incident.

Dispatch time: 18:08.58
Enroute time: 18:09.54
On scene time: 18:13.46
Clear time: 20:17.57

4 Men on scene 18:15
8 men on scene 18:18
12 men on scene 18:30

We had a total of 12 Firefighters on scene, 1 Chief and 3 apparatus.

116 Windmill Ridge

We were dispatched to a report of a structure fire at 116 Windmill Ridge on October 12, 2013. First unit on arrived on scene and reported a smoke showing from the exterior of the residence. Upon further investigation a fire was determined to have been burning inside the residence and was mostly out upon our arrival. A significant amount of damage occurred to the interior of the residence due to smoke and heat from the fire.

Dispatch time: 20:10.35
Enroute time: 20:11.31
On scene time: 20:13.38
Clear time: 21:16.40

6-men on scene 20.:20
8-men on scene not reported
12 men on scene 20:38

We had a total of 10 Firefighters on scene, 2 Chiefs, 3 apparatus and 1 Investigator.

CITY RESPONSE
OCTOBER 2013

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS	
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	22 OF 24	CRITERIA MET %	4 OF 4
CRITERIA -ACHIEVE RESPONSE TIME	92.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH STATIONS	CRITERIA MET	60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS	
0 - 6 MINUTES		0-6	
CRITERIA MET %	22 OF 24	CRITERIA MET %	3 OF 4
CRITERIA -ACHIEVE RESPONSE TIME	92.00%	CRITERIA -ACHIEVE RESPONSE TIME	75.00%
90% OF TIME IN BOXES WITH STATIONS	CRITERIA MET	60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS	
0-7 MINUTES		0-7	
CRITERIA MET %	22 OF 24	CRITERIA MET %	3 OF 4
CRITERIA -ACHIEVE RESPONSE TIME	92.00%	CRITERIA -ACHIEVE RESPONSE TIME	75.00%
90% OF TIME IN BOXES WITH STATIONS	CRITERIA MET	60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET

ENROUTE OVERAGES
 CITY CALLS
 October 2013

<u>Venue</u>	<u>Alarm Date</u>	<u>Alarm Time</u>	<u>Enroute time</u>	<u>Dispatch to Enroute</u>	<u>Inc. Number</u>	<u>Station</u>	<u>Lights and Sirens</u>	<u>Apparatus</u>	<u>Reason for Overages</u>
Rockwall	10/26/2013	00:12:07	00:14:12	0:02:05	2013-00000697	Rockwall 3	Code 3	E3	CAD times do not match Radio times
Rockwall	10/26/2013	08:59:11	9:01:11	0:02:00	2013-00000698	Rockwall 3	Code 3	E3	CAD times do not match Radio times

ARRIVAL OVERAGES
 CITY CALLS
 October 2013

<u>Venue</u>	<u>Alarm Date</u>	<u>Enroute time</u>	<u>Arrival Time</u>	<u>Enroute to Arrival</u>	<u>Inc. Number</u>	<u>Station</u>	<u>Lights and Sirens</u>	<u>Apparatus</u>	<u>Reason for Overages</u>
Rockwall	10/15/2013	20:26:00	20:34:39	0:08:39	2013-00000677	Rockwall 1	Code 3	E1	Response to area without station
Rockwall	10/03/2013	10:07:42	10:16:00	0:08:18	2013-00000642	Rockwall 2	Code 3	E5	Code 1 prior to arrival
Rockwall	10/05/2013	12:52:11	12:59:39	0:07:28	2013-00000647	Rockwall 4	Code 3	E4	E4 was responding from Station 2

RESPONSE OVERAGES
CITY CALLS - October 2013

Venue	Alarm Date	Alarm Time	Arrival Time	response time	Inc. Number	Station	Lights and Sirens	Apparatus	Reason for Overages
Rockwall	10/15/2013	20:25:07	20:34:39	0:09:32	2013-00000677	Rockwall 1	Code 3	E1	response to area without station
Rockwall	10/03/2013	10:07:01	10:16:00	0:08:59	2013-00000642	Rockwall 2	Code 3	E5	Code 1 prior to arrival
Rockwall	10/05/2013	12:51:04	12:59:39	0:08:35	2013-00000647	Rockwall 4	Code 3	E4	E-4 was at Station 2

COUNTY AND MUTUAL AID RESPONSES
OCTOBER 2013

ROCKWALL COUNTY	COLLIN COUNTY	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	0- 1 1/2 MINUTES	1 OF 1	0 OF 1
CRITERIA MET %	CRITERIA MET %	100%	50%
CRITERIA -ACHIEVE RESPONSE TIME	CRITERIA -ACHIEVE RESPONSE TIME	CRITERIA MET	CRITERIA NOT MET
60% OF TIME IN BOXES WITH STATIONS	60% OF TIME IN BOXES WITH STATIONS		
0 - 10 MINUTES	0 - 10 MINUTES	1 OF 1	0 OF 1
CRITERIA MET %	CRITERIA MET %	100%	50%
CRITERIA -ACHIEVE RESPONSE TIME	CRITERIA -ACHIEVE RESPONSE TIME	CRITERIA MET	CRITERIA NOT MET
60% OF TIME IN BOXES WITH STATIONS	60% OF TIME IN BOXES WITH STATIONS		
0-11 MINUTES	0-11 MINUTES	1 OF 1	0 OF 1
CRITERIA MET%	CRITERIA MET%	100%	50%
CRITERIA -ACHIEVE RESPONSE TIME	CRITERIA -ACHIEVE RESPONSE TIME	CRITERIA MET	CRITERIA NOT MET
60% OF TIME IN BOXES WITH STATIONS	60% OF TIME IN BOXES WITH STATIONS		

OTHER MUTUAL AID OR COUNTY CALLS

FATE	0
HEATH	0
ROWLETT	0
ROYSE CITY	0
MCCLENDON CHISOLM	0
WYLLIE	0

COUNTY OVERAGES - OCT. 2013

ENROUTE OVERAGES									
Venue	Alarm Date	Alarm Time	Enroute time	Alarm to Enroute	Inc. Number	Station	Lights and Sirens	Apparatus	Reason for Overages
Collin County	10/09/2013	14:48:27	14:50:01	0:01:34	2013-00000660	Rockwall 1	Code 3	BT3	CAD times do not match radio times
ARRIVAL OVERAGES									
Venue	Alarm Date	Enroute time	Arrival Time	Enroute to Arrival	Inc. Number	Station	Lights and Sirens	Apparatus	Reason for Overages
Collin County	10/09/2013	14:50:01	15:04:12	0:14:11	2013-00000660	Rockwall 1	Code 3	BT3	Drive time to Collin county
RESPONSE OVERAGES									
Venue	Alarm Date	Alarm Time	Arrival Time	Response	Inc. Number	Station	Lights and Sirens	Apparatus	Reason for Overages
Collin County	10/09/2013	14:48:27	15:04:12	0:15:45	2013-00000660	Rockwall 1	Code 3	BT3	Drive time to Collin County



Total Dollar Losses

October 2013



City of Rockwell
At Your Service

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	\$61,300.00	\$10,100.00	\$7,000.00	\$488,344.90	\$224,570.00
Total Content Loss:	\$25,250.00	\$0.00	\$2,500.00	\$222,438.94	\$129,837.00
Total Property Pre-Incident Value:	\$262,690.00	\$314,780.00	\$170,525.00	\$2,711,877.00	\$4,978,325.00
Total Contents Pre-Incident Value	\$116,714.00	\$0.00	\$125,200.00	\$13,251,066.20	\$10,357,254.00
Total Losses:	\$86,550.00	\$10,100.00	\$9,500.00	\$710,783.84	\$86,550.00
Total Value:	\$379,404.00	\$314,780.00	\$295,725.00	\$15,962,943.20	\$15,335,579.00

Fire Alarms
October 2013

Date	Address	Common Name	Disposition Code	CFS Number	Call Type	Incident Number	Incident ORI
10/01/2013 03:48:44	206 STORRS ST	Nursing Home, Rockwall, Rockwall Nursing Care, Rockwall Nursing Center	FA	18	FD - Fire Alarm Commercial	2013-00000638	TX504
10/02/2013 13:13:52	963 W YELLOW JACKET LN	Liberty Heights Retirement Center	FA	193	FD - Fire Alarm Commercial	2013-00000641	TX504
10/03/2013 10:06:08	3020 RIDGE RD	Summer Ridge Assisted Living	FA	306	FD - Fire Alarm Commercial	2013-00000642	TX504
	: 3						
10/04/2013 07:51:23	112 AUTUMN TRL		FA	462	FD - Fire Alarm Residential	2013-00003927	TX1990300
	: 1						
10/04/2013 07:51:23	112 AUTUMN TRL		FA	462	FD - Fire Alarm Residential	2013-00000289	TX402
	: 1						
10/05/2013 12:50:32	1650 S JOHN KING BLVD	Mansion Family	FA	622	FD - Fire Alarm Commercial	2013-00000647	TX504
10/07/2013 15:16:21	513 BENDING OAKS TRL		FA	936	FD - Fire Alarm Residential	2013-00000656	TX504
10/07/2013 23:35:59	625 FM 552	Rockwall Middle School, Williams Middle School	FA	1002	FD - Fire Alarm Commercial	2013-00000657	TX504
10/08/2013 10:39:59	1305 DAMASCUS RD	Our Lady of the Lake	FA	1046	FD - Fire Alarm Commercial	2013-00000658	TX504
10/09/2013 17:07:17	206 STORRS ST	Nursing Home, Rockwall, Rockwall Nursing Care, Rockwall Nursing Center	FA	1231	FD - Fire Alarm Commercial	2013-00000661	TX504
	: 5						
10/10/2013 03:03:34	160 HAMPTON DR		FA	1313	FD - Fire Alarm Residential	2013-00000213	TX1990400
	: 1						
10/10/2013 03:03:34	160 HAMPTON DR		FA	1313	FD - Fire Alarm Residential	2013-00000024	TX301
	: 1						
10/12/2013	801	rhhs, Rockwall			FD - Fire	2013-	

01:32:35	LAURENCE DR : 1	Heath High School	FA	1610	Alarm Commercial	00000295	TX402
10/13/2013 14:41:24	225 E RALPH HALL PKWY	Autumn Leaves	FA	1814	FD - Fire Alarm Commercial	2013- 00000667	TX504
10/15/2013 09:01:09	1106 E I 30 : 2	In N Out Burger, In- N-Out Burger	FA	2006	FD - Fire Alarm Commercial	2013- 00000674	TX504
10/21/2013 19:18:58	1983 STODGHILL RD : 1		FA	2854	FD - Fire Alarm Residential	2013- 00000423	TX1990400
10/21/2013 19:18:58	1983 STODGHILL RD : 1		FA	2854	FD - Fire Alarm Residential	2013- 00000038	TX301
10/23/2013 20:59:36	1649 LAGUNA DR	Saltgrass Steakhouse	FA	3137	FD - Fire Alarm Commercial	2013- 00000694	TX504
10/25/2013 09:30:34	1750 E INTERSTATE 30 : 2		FA	3338	FD - Fire Alarm Commercial	2013- 00000695	TX504
10/25/2013 12:14:17	100 MISS MAY ST : 1	May Vernon Elementary, Miss May Vernon Elementary	FA	3358	FD - Fire Alarm Commercial	2013- 00000049	TX301
10/26/2013 00:10:36	467 SONOMA DR		FA	3458	FD - Fire Alarm Residential	2013- 00000697	TX504
10/26/2013 08:57:51	510 MARIPOSA CT : 2		FA	3491	FD - Fire Alarm Residential	2013- 00000698	TX504
10/26/2013 13:37:57	181 COLONIAL TRCE : 1		FA	3513	FD - Fire Alarm Residential	2013- 00000530	TX1990400
10/26/2013 13:37:57	181 COLONIAL TRCE : 1		FA	3513	FD - Fire Alarm Residential	2013- 00000050	TX301
10/31/2013 07:20:51	1480 JUSTIN RD : 1	SPR Packaging	FA	4087	FD - Fire Alarm Commercial	2013- 00000714	TX504
10/31/2013					FD - Fire	2013-	

17:39:13	517 TATUM PL	FA	4152	Alarm Residential	00004260	TX1990300
	: 1					
10/31/2013 17:39:13	517 TATUM PL	FA	4152	FD - Fire Alarm Residential	2013- 00000310	TX402
	: 1					

11/4/2013 10:38:35 AM

Inspection Totals Per Inspector

October 2013

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Number	Inspection Status
TX504	366 - Hargrove	Follow Up	1918	Pending
Total Per Inspector: 1				
TX504	744 - Patrick	Annual	1909	Pending
TX504	744 - Patrick	Annual	1909	Finalized
TX504	744 - Patrick	Certificate of Occupancy	CO2013-1613	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0137	Finalized
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0136	Finalized
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0131	Finalized
TX504	744 - Patrick	Certificate of Occupancy	CO2013-1613	Finalized
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0116	Finalized
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0132	Finalized
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0132	Pending
TX504	744 - Patrick	Construction Final	1867	Pending
TX504	744 - Patrick	Courtesy	1921	Finalized
TX504	744 - Patrick	Fire Alarm System	1933	Pending
TX504	744 - Patrick	Fire Spinkler System	1926	Pending
TX504	744 - Patrick	Fire Spinkler System	1928	Pending
TX504	744 - Patrick	Flow Test	1917	Finalized
TX504	744 - Patrick	Follow Up	1918	Pending
TX504	744 - Patrick	Follow Up	1927	Pending
TX504	744 - Patrick	Other	1913	Finalized
TX504	744 - Patrick	Other	1912	Pending
TX504	744 - Patrick	Other	1913	Pending
TX504	744 - Patrick	Other	1912	Finalized
TX504	744 - Patrick	Tanks-TEMP	1930	Finalized
TX504	744 - Patrick	Underground Fire Line	1826	Pending
TX504	744 - Patrick	Underground Fire Line	1914	Pending
TX504	744 - Patrick	Underground Fire Line	1914	Pending
TX504	744 - Patrick	Underground Fire Line	1863	Pending

TX504	744 - Patrick	Underground Fire Line	1914	Pending
Total Per Inspector: 28				
TX504	843 - Clark	Annual	1919	Final
TX504	843 - Clark	Annual	1889	Final
TX504	843 - Clark	Certificate of Occupancy	CO2013-0123	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2013-0129	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2013-0129	Final
TX504	843 - Clark	Certificate of Occupancy	CO2013-0128	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2013-0128	Final
TX504	843 - Clark	Certificate of Occupancy	CO2013-0138	Final
TX504	843 - Clark	Certificate of Occupancy	CO2013-0138	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2013-0135	Final
TX504	843 - Clark	Certificate of Occupancy	CO2013-0123	Final
TX504	843 - Clark	Certificate of Occupancy	CO2013-0135	Pending
TX504	843 - Clark	Construction Final	1835	Pending
TX504	843 - Clark	Construction Final	1924	Pending
TX504	843 - Clark	Construction Final	1924	Pending
TX504	843 - Clark	Construction Final	1924	Pending
TX504	843 - Clark	Construction Final	1924	Pending
TX504	843 - Clark	Construction Final	1924	Pending
TX504	843 - Clark	Construction Final	1924	Pending
TX504	843 - Clark	Construction Final	1924	Pending
TX504	843 - Clark	Construction Final	1924	Pending
TX504	843 - Clark	Construction Final	1903	Pending
TX504	843 - Clark	Construction Final	1902	Pending
TX504	843 - Clark	Courtesy	1911	Final
TX504	843 - Clark	FDC	1916	Pending
TX504	843 - Clark	FDC	1916	Pending
TX504	843 - Clark	Fire Alarm System	1920	Pending
TX504	843 - Clark	Fire Spinkler System	1932	Pending
TX504	843 - Clark	Flow Test	1929	Final
TX504	843 - Clark	Knox Box	1922	Final
TX504	843 - Clark	Knox Box	1925	Final

TX504	843 - Clark	Other	1934	Pending
TX504	843 - Clark	Other	1907	Finalized
TX504	843 - Clark	Other	1910	Finalized
TX504	843 - Clark	Tanks-UST	1923	Finalized
TX504	843 - Clark	Underground Fire Line	1915	Finalized
TX504	843 - Clark	Underground Fire Line	1888	Finalized
TX504	843 - Clark	Underground Fire Line	1888	Pending
TX504	843 - Clark	Underground Fire Line	1915	Pending
TX504	843 - Clark	Underground Fire Line	1915	Pending
TX504	843 - Clark	Underground Fire Line	1915	Pending

Total Per Inspector:
42

Department Total:
71

11/4/2013 10:37:13 AM

City of Rockwall
Inspection Totals Completed by Inspector
For the Period 10/1/2013 thru 10/31/2013

Bryan Patrick

CO - FIRE	4
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TOTAL INSPECTIONS for Bryan Patrick:	4
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Kevin Clark

CO - FIRE	6
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TOTAL INSPECTIONS for Kevin Clark:	6
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TOTAL INSPECTIONS COMPLETED:	10
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**City of Rockwall
Project Routing Report By DATE_SENT
For the Period 10/1/2013 thru 10/31/2013**

----- Plan Review Detail -----

<u>Project#</u>	<u>Applied</u>	<u>Owner Name</u> <u>Description</u>	<u>Project Type</u> <u>Address</u>	<u>Aging</u>	<u>Contact</u> <u>Review Type</u>	<u>Status</u> <u>Completed</u>
CIP2013-002	02/20/2013		CAPITAL IMPROVEMENT	257	Kathleen Moreno ENGINEERING	APPROVED W/ 10/31/2013
CIP2013-004	02/20/2013		CAPITAL IMPROVEMENT	257	Kathleen Moreno ENGINEERING	
CIP2013-017	10/10/2013		CAPITAL IMPROVEMENT	25	Amy Williams ENGINEERING	COMMENTS 10/10/2013
E2013-028	08/09/2013		ENGINEERING RIDGE RD	87	Amy Williams ENGINEERING	COMMENTS 10/25/2013
E2013-028	08/09/2013		ENGINEERING RIDGE RD	87	Ariana Hargrove ENG - Fire	APPROVED 10/8/2013
E2013-028	08/09/2013		ENGINEERING RIDGE RD	87	Amy Williams ENGINEERING	COMMENTS 10/7/2013
E2013-029	09/05/2013		ENGINEERING	60	Ariana Hargrove ENG - Fire	COMMENTS 10/17/2013
E2013-029	09/05/2013		ENGINEERING	60	Amy Williams ENGINEERING	COMMENTS 10/15/2013
E2013-030	09/09/2013		ENGINEERING	56	Amy Williams ENGINEERING	APPROVED 10/25/2013
E2013-030	09/09/2013		ENGINEERING	56	Amy Williams ENGINEERING	COMMENTS 10/23/2013
E2013-031	09/23/2013		ENGINEERING RIDGE RD	42	Amy Williams ENGINEERING	COMMENTS 10/25/2013
E2013-031	09/23/2013		ENGINEERING RIDGE RD	42	Amy Williams ENGINEERING	APPROVED 10/25/2013
E2013-031	09/23/2013		ENGINEERING RIDGE RD	42	Amy Williams ENGINEERING	COMMENTS 10/16/2013
E2013-031	09/23/2013		ENGINEERING RIDGE RD	42	Amy Williams ENGINEERING	COMMENTS 10/9/2013



City of Rockwall
Project Routing Report By DATE_SENT
For the Period 10/1/2013 thru 10/31/2013

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<u>Project#</u>	<u>Applied</u>	<u>Owner Name</u> <u>Description</u>	<u>Project Type</u> <u>Address</u>	<u>Aging</u>	<u>Contact</u> <u>Review Type</u>	<u>Status</u> <u>Completed</u>
E2013-031	09/23/2013		ENGINEERING RIDGE RD	42	Ariana Hargrove ENG - Fire	APPROVED 10/8/2013
MIS2013-007	10/18/2013		MISCELLANEOUS	17	Amy Williams ENGINEERING	
MIS2013-007	10/18/2013		937 WILLIAMS ST MISCELLANEOUS	17	John Shannon BUILDING	
MIS2013-007	10/18/2013		937 WILLIAMS ST MISCELLANEOUS	17	Ariana Hargrove FIRE	
MIS2013-007	10/18/2013		937 WILLIAMS ST MISCELLANEOUS	17	Ryan Miller PLANNING	
P2013-025	07/22/2013		937 WILLIAMS ST PLAT	105	JoDee Sanford PLANNING	APPROVED 10/23/2013
P2013-029	09/30/2013		2935 RIDGE RD PLAT	35	Amy Williams ENGINEERING	APPROVED W/ 10/9/2013
106 P2013-030	09/30/2013		PLAT	35	John Shannon BUILDING	APPROVED 10/1/2013
P2013-030	09/30/2013		841 LAKESIDE DR PLAT	35	Ryan Miller PLANNING	APPROVED W/ 10/1/2013
P2013-031	10/18/2013		841 LAKESIDE DR PLAT	17	Ariana Hargrove FIRE	APPROVED 10/29/2013
P2013-031	10/18/2013		257 VICTORY LN PLAT	17	Amy Williams ENGINEERING	COMMENTS 10/21/2013
P2013-031	10/18/2013		257 VICTORY LN PLAT	17	John Shannon BUILDING	APPROVED 10/23/2013
P2013-031	10/18/2013		257 VICTORY LN PLAT	17	JoDee Sanford PLANNING	COMMENTS 10/24/2013
P2013-032	10/18/2013		257 VICTORY LN PLAT	17	Ariana Hargrove FIRE	COMMENTS 10/28/2013
168 P2013-032	10/18/2013		937 WILLIAMS ST PLAT	17	Amy Williams ENGINEERING	COMMENTS 10/21/2013



City of Rockwall
Project Routing Report By DATE_SENT
For the Period 10/1/2013 thru 10/31/2013

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<u>Project#</u>	<u>Applied</u>	<u>Owner Name</u> <u>Description</u>	<u>Project Type</u> <u>Address</u>	<u>Aging</u>	<u>Contact</u> <u>Review Type</u>	<u>Status</u>
P2013-032	10/18/2013		PLAT 937 WILLIAMS ST	17	Ryan Miller PLANNING	Completed APPROVED W/ 10/23/2013
P2013-032	10/18/2013		PLAT 937 WILLIAMS ST	17	John Shannon BUILDING	
P2013-033	10/18/2013		PLAT 805 TOWNSEND	17	JoDee Sanford PLANNING	APPROVED W/ 10/24/2013
P2013-033	10/18/2013		PLAT 805 TOWNSEND	17	John Shannon BUILDING	APPROVED 10/23/2013
P2013-033	10/18/2013		PLAT 805 TOWNSEND	17	Amy Williams ENGINEERING	APPROVED 10/21/2013
P2013-033	10/18/2013		PLAT 805 TOWNSEND	17	Ariana Hargrove FIRE	APPROVED 10/29/2013
P2013-034	10/18/2013		PLAT HWY276	17	Ariana Hargrove FIRE	COMMENTS 10/29/2013
P2013-034	10/18/2013		PLAT HWY276	17	Amy Williams ENGINEERING	COMMENTS 10/21/2013
P2013-034	10/18/2013		PLAT HWY276	17	Ryan Miller PLANNING	APPROVED W/ 10/21/2013
P2013-034	10/18/2013		PLAT HWY276	17	John Shannon BUILDING	APPROVED 10/23/2013
P2013-035	10/18/2013		PLAT HWY276	17	John Shannon BUILDING	
P2013-035	10/18/2013		PLAT HWY276	17	Amy Williams ENGINEERING	COMMENTS 10/22/2013
P2013-035	10/18/2013		PLAT HWY276	17	Ariana Hargrove FIRE	COMMENTS 10/29/2013
P2013-035	10/18/2013		PLAT HWY276	17	Ryan Miller PLANNING	APPROVED W/ 10/22/2013
P2013-036	10/25/2013		PLAT RIDGE RD	10	Ariana Hargrove FIRE	APPROVED 10/28/2013



City of Rockwall
Project Routing Report By DATE_SENT
For the Period 10/1/2013 thru 10/31/2013

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<u>Project#</u>	<u>Applied</u>	<u>Owner Name</u> <u>Description</u>	<u>Project Type</u> <u>Address</u>	<u>Aging</u>	<u>Contact</u> <u>Review Type</u>	<u>Status</u> <u>Completed</u>
P2013-036	10/25/2013		PLAT RIDGE RD	10	David Gonzales PLANNING	
P2013-036	10/25/2013		PLAT RIDGE RD	10	John Shannon BUILDING	
P2013-036	10/25/2013		PLAT RIDGE RD	10	Amy Williams ENGINEERING	COMMENTS 10/25/2013
SP2013-018	07/15/2013		SITE PLAN 2600 CHAMPIONS	112	Amy Williams ENGINEERING	COMMENTS 10/21/2013
SP2013-018	07/15/2013		SITE PLAN 2600 CHAMPIONS	112	JoDee Sanford PLANNING	APPROVED W/ 10/24/2013
SP2013-018	07/15/2013		SITE PLAN 2600 CHAMPIONS	112	John Shannon BUILDING	APPROVED 10/23/2013
SP2013-018	07/15/2013		SITE PLAN 2600 CHAMPIONS	112	Ariana Hargrove FIRE	COMMENTS 10/29/2013
SP2013-022	08/16/2013		SITE PLAN 1280 E RAPLPH HALL PKWY	80	Ryan Miller PLANNING	APPROVED 10/1/2013
SP2013-022	08/16/2013		SITE PLAN 1280 E RAPLPH HALL PKWY	80	Ariana Hargrove FIRE	COMMENTS 10/3/2013
SP2013-022	08/16/2013		SITE PLAN 1280 E RAPLPH HALL PKWY	80	Amy Williams ENGINEERING	COMMENTS 10/1/2013
SP2013-025	10/18/2013		SITE PLAN 970 E I30	17	Ariana Hargrove FIRE	COMMENTS 10/29/2013
SP2013-025	10/18/2013		SITE PLAN 970 E I30	17	Amy Williams ENGINEERING	COMMENTS 10/22/2013
SP2013-025	10/18/2013		SITE PLAN 970 E I30	17	JoDee Sanford PLANNING	APPROVED 10/24/2013
SP2013-025	10/18/2013		SITE PLAN 970 E I30	17	John Shannon BUILDING	APPROVED 10/23/2013
SP2013-026	10/21/2013		SITE PLAN 1210 N GOLJAD	14	JoDee Sanford PLANNING	

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 10/1/2013 thru 10/31/2013

----- Plan Review Detail -----

<u>Project#</u>	<u>Applied</u>	<u>Owner Name</u> <u>Description</u>	<u>Project Type</u> <u>Address</u>	<u>Aging</u>	<u>Contact</u> <u>Review Type</u>	<u>Status</u> <u>Completed</u>
SP2013-026	10/21/2013		SITE PLAN 1210 N GOLIAD	14	John Shannon BUILDING	COMMENTS 10/21/2013
SP2013-026	10/21/2013		SITE PLAN 1210 N GOLIAD	14	Amy Williams ENGINEERING	COMMENTS 10/29/2013
SP2013-026	10/21/2013		SITE PLAN 1210 N GOLIAD	14	Ariana Hargrove FIRE	COMMENTS 10/1/2013
Z2013-024	09/16/2013		ZONING	49	Amy Williams ENGINEERING	APPROVED 10/3/2013
Z2013-024	09/16/2013		AIRPORT RD ZONING	49	Ariana Hargrove FIRE	APPROVED 10/28/2013
Z2013-028	10/18/2013		ZONING	17	Ariana Hargrove FIRE	COMMENTS 10/21/2013
Z2013-028	10/18/2013		1901 S GOLIAD ZONING	17	David Gonzales PLANNING	APPROVED 10/21/2013
Z2013-028	10/18/2013		1901 S GOLIAD ZONING	17	Amy Williams ENGINEERING	APPROVED 10/23/2013
Z2013-028	10/18/2013		1901 S GOLIAD ZONING	17	John Shannon BUILDING	APPROVED 10/29/2013
Z2013-029	10/18/2013		ZONING	17	Ariana Hargrove FIRE	APPROVED 10/29/2013
Z2013-029	10/18/2013		ALLIANCE DR ZONING	17	John Shannon BUILDING	APPROVED 10/23/2013
Z2013-029	10/18/2013		ALLIANCE DR ZONING	17	Amy Williams ENGINEERING	APPROVED W/ 10/21/2013
Z2013-029	10/18/2013		ALLIANCE DR ZONING	17	David Gonzales PLANNING	COMMENTS 10/22/2013
Z2013-030	10/18/2013		ZONING	17	Ariana Hargrove FIRE	APPROVED 10/29/2013
Z2013-030	10/18/2013		407 RANCH TRAIL ZONING	17	Amy Williams ENGINEERING	APPROVED W/ 10/21/2013

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 10/1/2013 thru 10/31/2013

		----- Plan Review Detail -----				
<u>Project#</u>	<u>Applied</u>	<u>Owner Name</u> <u>Description</u>	<u>Project Type</u> <u>Address</u>	<u>Aging</u>	<u>Contact</u> <u>Review Type</u>	<u>Status</u>
Z2013-030	10/18/2013		ZONING 407 RANCH TRAIL	17	John Shannon BUILDING	Completed APPROVED 10/23/2013
Z2013-030	10/18/2013		ZONING 407 RANCH TRAIL	17	David Gonzales PLANNING	COMMENTS 10/21/2013
Z2013-031	10/18/2013		ZONING RIDGE RD	17	Ryan Miller PLANNING	APPROVED W/ 10/23/2013
Z2013-031	10/18/2013		ZONING RIDGE RD	17	Amy Williams ENGINEERING	APPROVED W/ 10/21/2013
Z2013-031	10/18/2013		ZONING RIDGE RD	17	Ariana Hargrove FIRE	COMMENTS 10/29/2013
Z2013-031	10/18/2013		ZONING RIDGE RD	17	John Shannon BUILDING	APPROVED 10/23/2013

Permit Routing Report By Date Sent (then by permit)
For the Period 10/1/2013 thru 10/31/2013

Permit #	Appl. Date	Aging	Address	Description	Owner Name	Contact	Review Type	Status	Plan Review Detail		
									Date Sent	Date Due	Completed
PLB2013-025	10/01/13	COMM	34 500 TURTLE COVE	Replacing Backflow Device	DAIKER, PARTNERS LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/01/13	10/11/13	10/11/13
SPEC2013-01	09/30/13	SPECIAL EVENT	35 2055 WILLIAMS	LANDSCAPE SOURCE NURSERY-PUMPKINS	BRIMELOW, TIM	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/01/13	10/11/13	10/01/13
CO2013-0128	10/02/13	CO	33 2231 Ridae Rd 202	Green Counseling Services	JARA, PARTNERS LTD	Ariana Hargrove	FIRE CO	APPROVED	10/02/13	10/05/13	10/03/13
CO2013-0129	10/02/13	CO	33 493 IH 30	Tea Harmony	BENT, TREE REALTY CO	Ariana Hargrove	FIRE CO	APPROVED	10/02/13	10/05/13	10/03/13
BLD2013-159	10/04/13	COMM	31 1114 IH 30	Raising Cane - Irrigation/ landscape	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/04/13	10/14/13	
BLD2013-160	10/07/13	COMM	28 3164 HORIZON RD. # 200	IMEDICAL ARTS - INTERIOR FINISH OUT	LONE, STAR LAND & PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/07/13	10/17/13	10/09/13
BLD2013-160	10/07/13	COMM	28 3084 GOLLAD ST N 104	Paradise TAN & Spa - Intr. Remodel	CRESTVIEW REAL ESTATES	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/07/13	10/17/13	10/08/13
BLD2013-160	10/07/13	COMM	28 2010 KRISTY LN.	BODIN CONCRETE REMODEL	BODIN, CONCRETE LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/07/13	10/17/13	10/08/13
CO2013-0130	10/07/13	CO	28 3045 Goliad ST N 105	Lakeshore Dental, PLLC	PCB, PROPERTIES LLC	Ariana Hargrove	FIRE CO	APPROVED	10/07/13	10/10/13	10/07/13
CO2013-0131	10/07/13	CO	28 2010 Industrial Blvd. 607	Patron Manufacturing, LLC	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE CO	APPROVED	10/07/13	10/10/13	10/07/13
CO2013-0132	10/07/13	CO	28 621 WHITE HILLS	Top Feet	EVANS, JIMMIE	Ariana Hargrove	FIRE CO	APPROVED	10/07/13	10/10/13	10/07/13
SPEC2013-01	10/07/13	SPECIAL EVENT	28 602 S GOLLAD	FALL FESTIVAL @FBC ROCKWALL	FIRST, BAPTIST CHURCH OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/07/13	10/14/13	10/07/13
BLD2013-145	09/12/13	COMM	53 1005 W RALPH HALL PKWY	Pecan Tree Pediatrics - Expansion into another space	GA, HC REIT II ROCKWALL MOB LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/08/13	10/18/13	10/08/13
BLD2013-149	09/19/13	COMM	46 4028 SH 205	Platinum Self-Storage - New		Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/08/13	10/18/13	10/08/13
BLD2013-161	10/08/13	SINGLE FAMILY	27 311 TROUT RD	WIDEN DRIVEWAY	MENDEZ, LIDIA E & DANIEL RENE	Ariana Hargrove	FIRE CO	APPROVED	10/08/13	10/11/13	
CO2013-0134	10/08/13	CO	27 811 YELLOW JACKET 116	E-CIGGS @777 SUPPLY	CHRISTOPHER RASMUSSEN	Ariana Hargrove	FIRE CO	APPROVED	10/08/13	10/08/13	10/08/13
BLD2013-161	10/09/13	COMM	26 1101 RIDGE 230 & 231	Changing walls 2 suites	RIDGE, ROAD PARTNERS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/09/13	10/19/13	10/09/13
CO2013-0135	10/09/13	CO	26 481 IH 30 E	BEST FOOT SPA	BENT, TREE REALTY CO	Ariana Hargrove	FIRE CO	APPROVED	10/09/13	10/12/13	10/09/13



City of Rockwall
Permit Routing Report By Date Sent (then by permit)
For the Period 10/1/2013 thru 10/31/2013

Permit #	Appl. Date	Aging	Address	Description	Owner Name	Contact	Review Type	Status	Plan Review Detail		
									Date Sent	Date Due	Completed
CO2013-0136	10/09/13	CO	26 109 GOLIAD ST. S GENUINE JAKE		SKY INVESTMENTS	Ariana Hargrove	FIRE CO	APPROVED	10/09/13	10/12/13	10/14/13
MEC2013-01	10/09/13	COMM	26 112 E RUSK Fatted Calif - Roof top a/c replacement		CURANOVIC, PETER ESTATE	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/09/13	10/19/13	
BLD2013-127	08/02/13	COMM	94 1870 John King Blvd S. NEW OAC SENIOR LIVING, LLC (120 Bed)		OAC, SENIOR LIVING LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/10/13	10/20/13	10/10/13
BLD2013-162	10/09/13	CHURCH	26 610 Goliad St S First Baptist Church 32x26 Main. Bldg.		FIRST BAPTIST CHURCH OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/10/13		10/10/13
BLD2013-165	10/11/13	COMM	24 970 IH 30 e FABRIC SHADE CANOPIES (ROCKWALL DODGE)		ROCKWALL, DIRT CO LTD	Ariana Hargrove	FIRE 972-772-6431	CORRECTION NEEDED	10/11/13	10/21/13	10/17/13
BLD2013-149	09/18/13	COMM	47 3090 Goliad St N 110 National Urgent Care		METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/14/13	10/24/13	10/14/13
CO2013-0137	10/14/13	CO	21 2305 Ridge Rd 106 Collateral Consultants		DAIKER, PARTNERS LTD.	Ariana Hargrove	FIRE CO	APPROVED	10/14/13	10/17/13	10/17/13
CO2013-0138	10/15/13	CO	20 890 ROCKWALL PKWY 115 LAKES REGIONAL MHMR CENTER		ROCKWALL, MEDICAL PROPERTIES LP	Ariana Hargrove	FIRE CO	APPROVED	10/15/13	10/18/13	10/17/13
BLD2013-166	10/16/13	COMM	19 2880 Ridge Rd. Interior alteration		HP, ROCKWALL 740 LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/16/13	10/26/13	10/17/13
CO2013-0139	10/16/13	CO	19 1300 RALPH HALL PKWY 110 MATTRESS SUPERSTORE		DALLAS, EAST	Ariana Hargrove	FIRE CO	APPROVED	10/16/13	10/19/13	10/31/13
BLD2013-145	09/12/13	COMM	53 SH 205 Luby's / Fuddrucker's		CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/17/13	10/27/13	10/17/13
BLD2013-154	09/26/13	COMM	39 1063 IH 30 E AMERICA'S BEST EYEGLASSES & CONTACTS INTERIOR FINISH		EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/17/13	10/27/13	10/17/13
BLD2013-166	10/15/13	COMM	20 2001 Portofino Dr. Water's Edge- Bldg 3, 4, 8, & Cabana Exterior Envelope Rehab		Water's Edge HOA	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/17/13		10/17/13
DEM2013-00	10/18/13	COMM	17 2346, 2350 Greenerest Anytime Fitness - Interior Demo (walls/ceiling)		JLIU, ASSET MANAGEMENT LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/18/13	10/28/13	
BLD2013-169	10/22/13	COMM	13 1 HARBORVIEW CHANDLERS LANDING DREDGING		MARIAH, BAY DEVELOPMENT INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/22/13	11/01/13	
SPEC2013-01	10/16/13	SPECIAL EVENT	19 LAKE RAY HUBBARD 3rd Annual Harbor Howl-O-Ween		ROCKWALL, ASSEMBLY OF GOD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/23/13	10/25/13	
SPEC2013-01	10/22/13	SPECIAL EVENT	13 901 WILLIAMS NO MONSTERS BASH-THE LAKES ASSEMBLY			Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/23/13	10/28/13	10/29/13
CO2013-0140	10/24/13	CO	11 101 Fannin 100 66 Bar BQ Diner		RDT, ENTERPRISES INC	Bryan Patrick	FIRE CO	APPROVED	10/24/13	10/27/13	10/25/13



City of Rockwall
Permit Routing Report By Date Sent (then by permit)
For the Period 10/1/2013 thru 10/31/2013

Permit #	Appl. Date	Aging	Address	Description	Owner Name	Contact	Review Type	Status	Plan Review Detail		
									Date Sent	Date Due	Completed
PLB2013-028	10/24/13	COMM	11 112 E RUSK	Plumbing to HVAC	CURANOVIC, PETER ESTATE	Ariana Hargrove	FIRE 972-772-6431		10/24/13	11/03/13	
BLD2013-170	10/25/13	COMM	10 609 White Hills	Taco Bueno - Remodel	TACO, BUENO RESTAURANTS INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/25/13	11/04/13	10/29/13
BLD2013-171	10/25/13	COMM	10 1005 Ralph Hall Pkwy 201	Les T. Sandknop - Remodel	GA, HC REIT II ROCKWALL MOB LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/25/13	11/04/13	10/29/13
BLD2013-171	10/25/13	COMM	10 919 IH 30 107	AT&T interior completion/remodel of existing space	ROCKWALL, CROSSING LTD	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/25/13	11/04/13	10/29/13
DEM2013-001	10/25/13	COMM	10 919 IH 30 107	DEMO OF INTERIOR ONLY - NO OTHER WORK ALLOWED	ROCKWALL, CROSSING LTD	Ariana Hargrove	FIRE 972-772-6431		10/25/13	11/04/13	
BLD2013-149	09/19/13	COMM	46 4028 SH 205	Platinum Self-Storage - New		Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/28/13	11/07/13	10/31/13
SPEC2013-01	10/28/13	SPECIAL EVENT	7 765 IH 30 E	HOME DEPOT CHRISTMAS TREE STORAGE	The Home Depot	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/28/13	11/04/13	10/29/13
BLD2013-105	06/25/13	COMM	132 1301 Ridge Rd.	Rockwall Commons ph II -w/ 133 Apts	T, ROCKWALL PHASE 2 LLC	Ariana Hargrove	FIRE 972-772-6431	DENIED	10/29/13	11/08/13	10/29/13
BLD2013-127	08/02/13	COMM	94 1870 John King Blvd S.	NEW OAC SENIOR LIVING, LLC (120 Bed)	OAC, SENIOR LIVING LLC	Ariana Hargrove	ENG 972-771-7746	APPROVED	10/29/13	11/08/13	10/29/13
BLD2013-160	10/07/13	COMM	28 3084 GOLLAD ST N 104	Paradise TAN & Spa - Intr. Remodel	CRESTVIEW REAL ESTATES	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/29/13	11/08/13	10/29/13
CO2013-0141	10/29/13	CO	6 1785 IH 30 103	Sunshade Awning of Texas, LLC	OLLLOM, GREGORY D	Ariana Hargrove	FIRE CO	APPROVED	10/29/13	11/01/13	10/29/13
MISC2013-00	10/29/13	COMM	6 101 Fannin	66 Bar BQ - Awnings	RDT, ENTERPRISES INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/29/13	11/08/13	10/29/13
BLD2013-105	06/25/13	COMM	132 1301 Ridge Rd.	Rockwall Commons ph II -w/ 133 Apts	T, ROCKWALL PHASE 2 LLC	Ariana Hargrove	BUILDING 972-772-6774	DENIED	10/30/13	11/09/13	10/30/13
BLD2013-160	10/07/13	COMM	28 3164 HORIZON RD. # 200	IMEDICAL ARTS - INTERIOR FINISH OUT	LONE, STAR LAND & PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/30/13	11/09/13	10/30/13
CO2013-0143	10/30/13	CO	5 941 Ralph Hall Pkwy		MCBANE, JANET T	Ariana Hargrove	FIRE CO		10/30/13	11/02/13	
SPEC2013-01	10/30/13	SPECIAL EVENT	5 1210 N GOLLAD	YMCA DALLAS-GROUND	YMCA, OF DALLAS	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/30/13	11/09/13	10/30/13
BLD2013-170	10/25/13	COMM	10 609 White Hills	Taco Bueno - Remodel	TACO, BUENO RESTAURANTS INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/31/13	11/10/13	10/31/13



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Rockwall Police Department

Harbor District Calls for Service

October 2013

<u>Incident Number</u>	<u>Date</u>	<u>Time</u>	<u>Common Name</u>	<u>Incident Type</u>	<u>Incident CFS Disposition</u>
2013-00024065	10/17/2013	03:01:41	Cinemark	Alarm	False Alarm
2013-00024843	10/25/2013	22:34:00	Cinemark	Criminal Trespass	No Report
2013-00025059	10/28/2013	16:11:08	Dodies	911 Hang Up	False 911
2013-00024300	10/19/2013	21:24:00	Glorias Restaurant	Disturbance	No Report
2013-00023681	10/12/2013	00:19:00	Hilton	Assist Other Agency	No Report
2013-00023674	10/11/2013	22:58:00	Hilton	Intoxicated	Arrest
2013-00023784	10/13/2013	01:29:00	Hilton	Investigation	Arrest
2013-00024295	10/19/2013	20:41:00	Hilton	Medical Emergency	EMS
2013-00022943	10/03/2013	18:47:00	Hilton	Property	No Report
2013-00023046	10/04/2013	21:37:00	Hilton	Property	Report
2013-00023790	10/13/2013	03:52:59	Hilton	Shots Fired	No Report
2013-00022801	10/01/2013	21:53:12	Hilton	Suspicious Activity	No Report
2013-00025098	10/28/2013	23:20:39	Hilton	Suspicious Activity	No Report
2013-00023157	10/06/2013	12:34:22	Hilton	Theft	No Report
2013-00023687	10/12/2013	02:35:00	Hilton	Theft	Report
2013-00024777	10/25/2013	08:32:21	Keller Williams	Alarm	False Alarm
2013-00024123	10/17/2013	22:02:11	Luna de Noche	Alarm	Cancelled Alarm
2013-00024962	10/27/2013	04:57:46	The Harbor	Animal	No Report
2013-00023110	10/05/2013	17:55:51	The Harbor	Medical Emergency	EMS
2013-00024913	10/26/2013	18:35:03	The Harbor	Missing Person	No Report
2013-00024916	10/26/2013	19:05:52	The Harbor	Missing Person	No Report
2013-00024919	10/26/2013	19:20:07	The Harbor	Missing Person	No Report
2013-00024921	10/26/2013	19:46:58	The Harbor	Missing Person	No Report
2013-00024568	10/22/2013	18:38:42	The Harbor	Suspicious Activity	No Report
2013-00023352	10/08/2013	13:49:00	The Harbor	Theft	No Report
2013-00022844	10/02/2013	15:59:06	Willis Estates Jewelry	911 Hang Up	False 911
2013-00025161	10/29/2013	20:40:06	Zeus Botique	Alarm	False Alarm
			<u>Common Name</u>		
			Hilton	11	
			The Harbor	8	
			Cinemark	2	
			Dodies	1	
			Glorias Restaurant	1	
			Keller Williams	1	
			Luna de Noche	1	
			Willis Estates Jewelry	1	
			Zeus Botique	1	
			Total	27	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
OCTOBER 2013

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	6	6	0	100%
ADMINISTRATIVE SERVICES	3	3	0	100%
AIRPORT	27	27	0	100%
ANIMAL SERVICES	2	2	0	100%
BUILDING INSPECTIONS / CODE ENFORCEMENT	1	1	0	100%
ENGINEERING	2	2	0	100%
FINANCE	5	4	1	80%
FIRE DEPARTMENT	28	28	0	100%
INTERNAL OPERATIONS	155	155	0	100%
MUNICIPAL COURT	6	6	0	100%
PARKS & RECREATION	15	14	1	93%
PLANNING & ZONING	2	2	0	100%
POLICE DEPARTMENT	19	16	3	84%
PUBLIC WORKS	3	3	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	274	269	5	98%

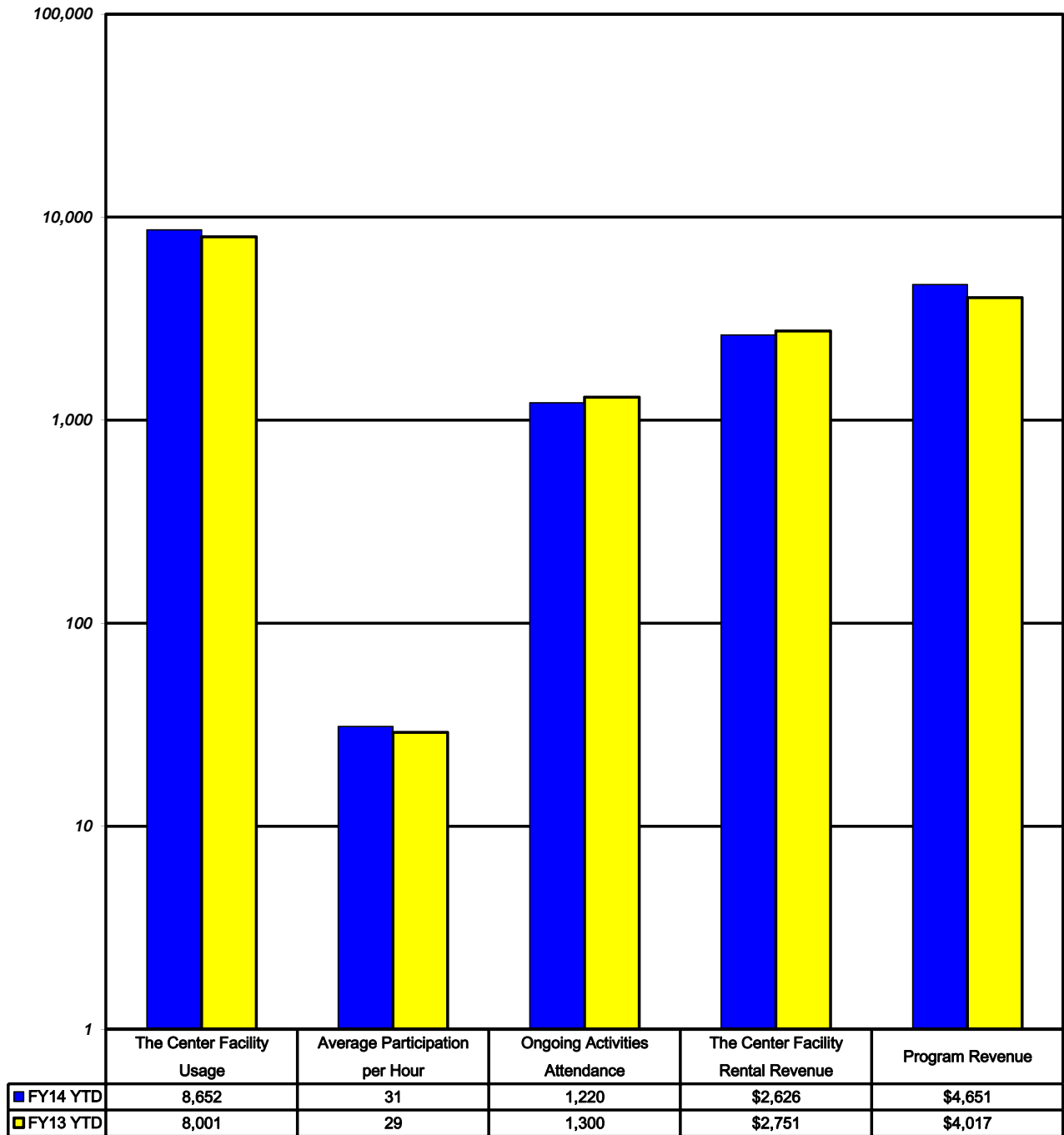
CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
OCTOBER 2013

DEPARTMENT	# OF REQUESTS	# OF REQUESTS / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME	COMMENTS
ANIMAL SERVICES	0	0	0	100%	
CODE ENFORCEMENT	0	0	0	100%	
FIRE DEPARTMENT	3	3	0	100%	
EMS	0	0	0	100%	
INTERNAL OPERATIONS	2	2	0	100%	
PARKS & RECREATION	0	0	0	100%	
POLICE DEPARTMENT	8	8	0	100%	
PUBLIC WORKS	2	2	0	100%	
UTILITY BILLING	0	0	0	100%	
FATE DPS	4	4	0	100%	Startup (Audiolog) and Patch
HEATH DEPT. PUBLIC SAFETY	2	2	0	100%	
HOSPITAL CONTROL STATIONS	0	0	0	100%	
SYSTEM ISSUES	1	1	0	100%	FS2 Notam Light
TOTAL	22	22	0	100%	

November 11, 2013

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**City of Rockwall
Parks and Recreation Department
FY14 October Report**



The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.

Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.

Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Police Department

Monthly Activity Report

October-2013

ACTIVITY	CURRENT MONTH OCTOBER	PREVIOUS MONTH SEPTEMBER	YTD 2013	YTD 2012	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	1	1	0.00%
Rape	1	0	7	2	250.00%
Robbery	0	0	5	2	150.00%
Aggravated Assault	0	2	9	18	-50.00%
Burglary	12	7	83	110	-24.55%
Larceny	61	53	520	573	-9.25%
Motor Vehicle Theft	6	6	47	37	27.03%
TOTAL PART I	80	68	672	743	-9.56%
TOTAL PART II	112	130	1244	1524	-18.37%
TOTAL OFFENSES	192	198	1916	2267	-15.48%

ADDITIONAL STATISTICS

FAMILY VIOLENCE	15	15	142	105	35.24%
D.W.I.	17	20	172	276	-37.68%
TEEN CURFEW	0	0	8	33	-75.76%

ARRESTS

FELONY	10	14	160	267	-40.07%
MISDEMEANOR	63	83	756	1105	-31.58%
WARRANT ARREST	33	35	277	370	-25.14%
JUVENILE	7	2	47	65	-27.69%
TOTAL ARRESTS	113	134	1240	1807	-31.38%

DISPATCH

CALLS FOR SERVICE	1344	1255	13637	14476	-5.80%
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ACCIDENTS

INJURY	18	10	118	120	-1.67%
(INJURIES)	24	11	144	171	-15.79%
NON-INJURY	46	32	403	382	5.50%
FATALITY	0	0	2	1	100.00%
(FATALITIES)	0	0	2	1	100.00%
TOTAL	64	42	523	503	3.98%

FALSE ALARMS

RESIDENT ALARMS	62	50	677	659	2.73%
BUSINESS ALARMS	114	109	1077	981	9.79%
TOTAL FALSE ALARMS	176	159	1754	1640	6.95%
Estimated Lost Hours	116.16	104.94	1157.64	1082.4	6.95%
Estimated Cost	\$2,763.20	\$2,496.30	\$27,537.80	\$25,748.00	6.95%

ROCKWALL NARCOTICS UNIT

	Number of Cases	7
	Arrests	6
	Arrest Warrants	7
	Search Warrants	1
	Assist other Agencies	6
	Seized	
	Weapons	2 Pistols
	Cocaine	1.05 kilograms
	Methamphetamine	28.35 grams
	Heroin	31.35 grams
Money	\$35,090.00	

**Rockwall Police Department
Dispatch and Response Times
October 2013**

Police Department

Average Response Time

Priority 1 Number of Calls **104**
 Call to Dispatch 0:00:34
 Call to Arrival 0:05:45
 % over 7 minutes 23%

Average Response Time

Priority 2 Number of Calls **179**
 Call to Dispatch 0:00:25
 Call to Arrival 0:06:32
 % over 7 minutes 31%

Average Response Time

Priority 3 Number of Calls **9**
 Call to Dispatch 0:00:24
 Call to Arrival 0:10:53
 % over 7 minutes 67%

***Priority 4** Number of Calls **1050**

****Priority 5** Number of Calls **2**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.

**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:

Priority 1: 30 Seconds

Priority 2: 45 Seconds

Priority 3: 1 Minute

Fire Department

Average Response Time

Call to Dispatch 0:00:18 Number of Calls **59**
 Call to Arrival 0:06:26

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2013-686	10/19/13	19:10:57	FD-Grass Fire	19:12:06	0:01:09	County call-address did not verify/mutual aid call
2013-660	10/9/13	14:46:36	FD-Grass Fire	14:48:27	0:01:51	County call-address did not verify
2013-674	10/15/13	9:01:29	FD-Fire Alarm Commercial	9:03:30	0:02:01	Sgt dispatching/extra time needed for info

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CCHS Rockwall Animal Adoption Center
August 2012-July 2013 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE OUTCOME
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			
Aug-12	113-72%	15-9%	26-16%	4-2%	2-1%	158	160	98%
Sep-12	108-69%	12-9%	32-20%	2-1%	2-1%	118	157	98%
Oct-12	108-61%	31-17%	36-20%	0-0%	3-2%	203	178	99%
Nov-12	125-71%	15-8.5%	35-20%	1- >1	1- >1%	168	177	99%
Dec-12	146-77%	9-5%	31-18%	1- 0.5%%	3- 1.5%	169	190	98%
Jan-13	129-65%	35-17%	33-16%	2-1%	2-1%	157	201	98%
Feb-13	121-74%	22-13%	19-12%	1-.5%	1-.5%	165	164	99%
Mar-13	115-61%	23-12%	48-26%	0-0%	1-1%	202	187	99%
Apr-13	123-71%	21-12%	22-13%	5-3%	1-1%	157	172	96%
May-13	148-70%	20-9%	32-15%	8-4%	4-2%	222	212	94%
Jun-13	135-67%	36-18%	25-12%	3-1.5%	3-1.5%	238	202	97%
Jul-13	123-57%	51-23%	27-13%	4-2%	10-5%	232	216	93%
Aug-13	129-67%	33-17%	18-9%	5-2.5%	10-4.5%	166	192	93%

Sep-13	131-70%	24-13%	21-11%	7-4%	3-2%	158	186	94%
Oct-13	123-62%	41-21%	28-14%	5-2%	2-1%	193	200	97%

*Died of natural causes in shelter

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Consider approval of the minutes from the November 18, 2013 regular city council meeting, and take any action necessary.	
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minutes revisions/edits	21
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Consider approval of the minutes from the December 2, 2013 regular city council meeting, and take any action necessary.	
12/02 Minutes.	24
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Consider authorizing the City Manager to execute a maintenance agreement with Harris Corporation for the public safety radio system in the amount of \$163,178.17 and to purchase radio system spare parts in the amount of \$38,880.00 to be funded from the Radio System Operating Budget and take any action necessary.	
Radio system maint and spare parts	36
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P2013-040 - Consider a request by Glenn Engineering Corporation on behalf of James A. Havens for the approval of a replat for Lots 2 & 3, Block H, The Shores Club House Addition, Phase 2 being a 9.455-acre parcel of land currently identified as Lot 1, Block H, The Shores Club House Addition, Phase 2, City of Rockwall, Rockwall County, Texas; zoned Planned Development District 3 (PD-3), addressed as 2600 Champions Drive, and take any action necessary.	
Staff Report	42
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Consider authorizing the City Manager to execute a purchase agreement with Affiliated Communications, Inc. for the purchase and installation of a new phone system in the amount of \$156,982.00 to be paid for from the Internal Operations Operating Budget and take any action necessary.	
shoretel purchase.	47
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Consider approval of a Facilities Agreement with Lakes Regional MHMP center for the pro-rata reimbursement of off- site sanitary sewer expenses associated with this development, and take any action necessary.	
Facilities Agreement - Lakes Regional MHMR Center	55
FACILITY AGREEMENT Lakes Regional MHMR Center.	56
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Appointment with Dana Macalik of the Rockwall Area Chamber of Commerce to hear report on the Rockwall Boat Show, which took place in September at The Harbor and included the use of Hotel/Motel Tax Funding, and take any action necessary.	
Memo	61
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Z2013-031 - (Applicant requested withdrawal) Hold a public hearing to discuss and consider approval of an ordinance for a request by Shawn Valk on behalf of LGI Properties for the approval of a Specific Use Permit to allow a mini-warehouse facility on a 5.94-acre tract of land, zoned Commercial (C) District and located within the Scenic Overlay (SOV) District, being a portion of a 9.699-acre tract land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas; located at the southwestern corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary (1st Reading).

Staff Memo	63
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Z2013-032 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Andrea Holliman for the approval of a Specific Use Permit to allow an antiques/collectibles and general retail store in Planned Development District 50 (PD-50) for a 0.47-acre parcel of land identified as a portion of Lot 1 of the W. D. Austin Addition, Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District and the North SH 205 Corridor Overlay (N-SH 205 OV) District, addressed as 904 N. Goliad Street, and take any action necessary (1st Reading).

Staff Report	102
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Z2013-033 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Kristin and Joshua Whitaker for the approval of a Specific Use Permit for an accessory building that does not conform to the material requirements as specified for a property in a Single-Family Estate 1.5 (SFE-1.5) District on a 1.5-acre parcel of land identified as Lot 17, Block B, Sterling Farms Addition, Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, located at 1970 Copper Ridge Circle, and take any action necessary (1st Reading).

Staff Report	117
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Z2013-034 - Hold a public hearing to discuss and consider approval of an ordinance for a request by John Spiars on behalf of the owner the Cambridge Company, Inc. for the approval of a Specific Use Permit for a new car dealership on a 12.6114-acre tract of land being identified as a 5.0966-acre portion of Tract 2 of the J. Lockhart Survey, Abstract No. 134 and a 7.5148-acre portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located within the IH-30 Overlay (IH-30 OV) District and the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southwest corner of John King Boulevard and the IH-30 frontage road, and take any action necessary (1st Reading).

Staff Report	129
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Z2013-035 - Hold a public hearing to discuss and consider approval of an ordinance for a request by J. D. Jacobs, Jr. for the approval of a zoning change from Single Family 7 (SF-7) District to a Residential-Office (RO) District for a 0.661-acre tract of land identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, located east of the intersection of Peters Colony Drive and E. Bourn Street, and take any action necessary (1st Reading).

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Discuss and consider amending the Volunteer Coach's Eligibility Policy and take any action necessary.	
Coach's Eligibility Policy Memo	183
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Proposed Coach's Eligibility Policy	186
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AGENDA
ROCKWALL CITY COUNCIL
Monday, December 16, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District and the Fire Department Pension Board pursuant to Section §551.074 (personnel matters)
3. Discussion regarding the following legal claims: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. and Philadelphia Indemnity Insurance v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding park land acquisition and land in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, December 16, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER LEWIS

VII. CONSENT AGENDA

1. Consider approval of the minutes from the November 18, 2013 regular city council meeting, and take any action necessary.
2. Consider approval of the minutes from the December 2, 2013 regular city council meeting, and take any action necessary.
3. Consider authorizing the City Manager to execute a maintenance agreement with Harris Corporation for the public safety radio system in the amount of \$163,178.17 and to purchase radio system spare parts in the amount of \$38,880.00 to be funded from the Radio System Operating Budget and take any action necessary.
4. **P2013-040** - Consider a request by Glenn Engineering Corporation on behalf of James A. Havens for the approval of a replat for Lots 2 & 3, Block H, The Shores Club House Addition, Phase 2 being a 9.455-acre parcel of land currently identified as Lot 1, Block H, The Shores Club House Addition, Phase 2, City of Rockwall, Rockwall County, Texas; zoned Planned Development District 3 (PD-3), addressed as 2600 Champions Drive, and take any action necessary.
5. Consider authorizing the City Manager to execute a purchase agreement with Affiliated Communications, Inc. for the purchase and installation of a new phone system in the amount of \$156,982.00 to be paid for from the Internal Operations Operating Budget and take any action necessary.
6. Consider approval of a Facilities Agreement with Lakes Regional MHMR center for the pro-rata reimbursement of off-site sanitary sewer expenses associated with this development, and take any action necessary.

VIII. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with Dana Macalik of the Rockwall Area Chamber of Commerce to hear report on the Rockwall Boat Show, which took place in September at The Harbor and included the use of Hotel/Motel Tax Funding, and take any action necessary.

IX. PUBLIC HEARING ITEMS

1. **Z2013-031 - (Applicant has requested withdrawal)** Hold a public hearing to discuss and consider approval of an ordinance for a request by Shawn Valk on behalf of LGI Properties for the approval of a Specific Use Permit to allow a mini-warehouse facility on a 5.94-acre tract of land, zoned Commercial (C) District and located within the Scenic Overlay (SOV) District, being a portion of a 9.699-acre tract land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas; located at the southwestern corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary (1st Reading).
2. **Z2013-032** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Andrea Holliman for the approval of a Specific Use Permit to allow an antiques/collectibles and general retail store in Planned Development District 50 (PD-50) for a 0.47-acre parcel of land identified as a portion of Lot 1 of the W. D. Austin Addition, Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District and the North SH 205 Corridor Overlay (N-SH 205 OV) District, addressed as 904 N. Goliad Street, and take any action necessary **(1st Reading)**.
3. **Z2013-033** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Kristin and Joshua Whitaker for the approval of a Specific Use Permit for an accessory building that does not conform to the material requirements as specified for a property in a Single-Family Estate 1.5 (SFE-1.5) District on a 1.5-acre parcel of land identified as Lot 17, Block B, Sterling Farms Addition, Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, located at 1970 Copper Ridge Circle, and take any action necessary **(1st Reading)**.
4. **Z2013-034** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by John Spiars on behalf of the owner the Cambridge Company, Inc. for the approval of a Specific Use Permit for a new car dealership on a 12.6114-acre tract of land being identified as a 5.0966-acre portion of Tract 2 of the J. Lockhart Survey, Abstract No. 134 and a 7.5148-acre portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located within the IH-30 Overlay (IH-30 OV) District and the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southwest corner of John King Boulevard and the IH-30 frontage road, and take any action necessary **(1st Reading)**.
5. **Z2013-035** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by J. D. Jacobs, Jr. for the approval of a zoning change from Single Family 7 (SF-7) District to a Residential-Office (RO) District for a 0.661-acre tract of land identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, located east of the intersection of Peters Colony Drive and E. Bourn Street, and take any action necessary **(1st Reading)**.

X. ACTION ITEMS

1. Discuss and consider amending the Volunteer Coach's Eligibility Policy and take any action necessary.
2. Discuss and consider appointments to the city's Architectural Review Board, and take any action necessary.

XI. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District and the Fire Department Pension Board pursuant to Section §551.074 (personnel matters)
3. Discussion regarding the following legal claims: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. and Philadelphia Indemnity Insurance v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding park land acquisition and land in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 13th day of December, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Jacky Casey, Assistant Secretary

Date Removed

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2
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4
5
6

MINUTES
ROCKWALL CITY COUNCIL
Monday, November 18, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

7 **I. CALL PUBLIC MEETING TO ORDER**

8
9 Mayor Sweet called the public meeting to order at 4:00 p.m. Present were Mayor David
10 Sweet, Mayor Pro Tem David White and Councilmembers Jim Pruitt, Mike Townsend,
11 Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick
12 Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank
13 Garza. Mayor Sweet then read the below listed discussion items into the public record
14 before recessing the public meeting into Executive Session at 4:02 p.m.

15
16 **II. EXECUTIVE SESSION.**

17
18 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**
19 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**
20 **CODE:**

- 21 1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of
22 Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section
23 551.071 (Consultation with Attorney)
- 24 2. Discussion regarding securing legal representation from Carrington,
25 Coleman, Sloman & Blumenthal, L.L.P. pertaining to TF-Harbor LLC v.
26 City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to
27 Tex. Gov't. Code, § 551.071 (Consultation with Attorney).
- 28 3. Discussion regarding Economic Development incentives, procedures and
29 possible projects pursuant to Section 551.087 (Economic Development)
- 30 4. Discussion regarding appointments to city regulatory boards,
31 commissions, and committees including the Rockwall Central Appraisal
32 District pursuant to Section §551.074 (personnel matters)

33 **III. ADJOURN EXECUTIVE SESSION**

34
35 **Council adjourned from Executive Session at 5:02 p.m.**
36

37
38
39
40
41
42

MINUTES
ROCKWALL CITY COUNCIL
Monday, November 18, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

43 **IV. RECONVENE PUBLIC MEETING**

44
45 **Mayor Sweet reconvened the public meeting at 6:00 p.m. with all council members and**
46 **staff listed above being present.**

47
48 **V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

49
50 **Mayor Pro Tem White made a motion to secure legal representation from Carrington,**
51 **Coleman, Sloman & Blumenthal, L.L.P. Councilmember Lewis seconded the motion,**
52 **which passed unanimously of council present (7 ayes to 0 nays).**

53
54 **VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER**

55
56 **Councilmember Milder delivered the invocation and led the Pledge of Allegiance.**

57
58 **VII. PROCLAMATIONS / AWARDS**

- 59
60 1. Texas Amateur Athletic Federation (TAAF) Presidents Award

61
62 **Jeff Goodman, with the City of Waco Parks and Recreation Department, came forth and**
63 **shared a history of Brad Griggs' service and accomplishments over the years. He then**
64 **presented Mr. Griggs (Rockwall Assistant City Manager / Parks Director) with the TAAF**
65 **Presidents Award.**

66
67 **VIII. CONSENT AGENDA**

- 68
69 1. Consider approval of the minutes from the November 4, 2013 regular city
70 council meeting, and take any action necessary.
- 71 2. Consider approval of an **ordinance** allowing various sanitary sewer
72 materials to be included in the City's Standards of Design and
73 Construction Manual and the North Central Texas Council of
74 Governments Standard Specifications for Public Works Construction (3rd
75 Edition), and take any action necessary. **(1st reading)**
- 76 3. Consider approval of a request by AT&T Wireless for a new monopole
77 cellular communications tower to be located at 1310 E. Interstate 30 (East
78 Side Water Yard), authorizing the City Manager to execute an agreement
79 and take any action necessary.
- 80 4. **P2013-037** - Consider a request by the Skorburg Company on behalf of
81 Life Spring Church for the approval of a final plat for a 0.402-acre tract of
82 land located within the J. Strickland Survey, Abstract No. 187, Rockwall,
83 Rockwall County, Texas for the purpose of dedicating right-of-way; the
84 subject property is zoned Agricultural (Ag) District, is generally located

85 north of John King Boulevard and east of SH-205, and take any action
86 necessary.

87 5. **P2013-038** - Consider a request by Marshall Gage, LLC on behalf of
88 Ridge Road Properties, LLC for the approval of a replat for Lots 23 & 24,
89 Block A, Horizon Ridge Addition being a 1.021-acre parcel of land
90 currently identified as Lot 13R, Block A, Horizon Ridge Addition, City of
91 Rockwall, Rockwall County, Texas; zoned Planned Development District
92 9 (PD-9), situated within the Scenic Overlay (SOV) District, generally
93 located south of IH-30 on the east side of FM-740 (Ridge Road), and take
94 any action necessary.

95 **Mayor Pro Tem White made a motion to approve the entire Consent Agenda (#s 1, 2, 3, 4**
96 **and 5). Councilmember Townsend seconded the motion. The ordinance was read as**
97 **follows:**

98 **CITY OF ROCKWALL, TEXAS**
99 **ORDINANCE NO. 13-_____**

100
101 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
102 **TEXAS, AMENDING CHAPTER 38. SUBDIVISIONS, ARTICLE I. IN GENERAL,**
103 **SECTION 38-23. STANDARDS FOR DESIGN OF DEVELOPMENT WITHIN**
104 **SUBDIVISIONS ADOPTED TO AMEND THE CITY OF ROCKWALL'S**
105 **SUPPLEMENTAL SPECIAL PROVISIONS TO THE STANDARD**
106 **SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, NORTH CENTRAL**
107 **TEXAS, 3RD EDITION; PROVIDING FOR A PENALTY OF FINE NOT TO**
108 **EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH**
109 **OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED**
110 **ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING**
111 **FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;**
112 **AND PROVIDING FOR AN EFFECTIVE DATE.**

113
114 **The motion passed by a vote of 7 ayes to 0 nays.**

115
116 **IX. APPOINTMENTS**

- 117
118 1. Appointment with the Planning and Zoning Chairman to discuss and
119 answer any questions regarding cases on the agenda and related issues
120 and take any action necessary.

121 **Craig Renfro, Chair of the Planning & Zoning Commission, came forth and briefed the**
122 **council on recommendations of the Commission relative to items on tonight's city**
123 **council agenda.**

- 124 2. Appointment with representatives of the 2013-2014 Leadership Rockwall
125 Class to discuss and consider a project proposal to construct a butterfly
126 garden located within a City of Rockwall public park and take any action
127 necessary.

128 **Stephen Straughan, representative from the current Leadership Rockwall Class, came**
129 **forth and delivered a presentation regarding the proposed butterfly garden.**

130
131 **Councilmember Milder made a motion to approve the proposed butterfly garden to be**
132 **placed at Lofland Park. Mayor Pro Tem White seconded the motion, which, after brief**
133 **comments, passed by a vote of 7 ayes to 0 nays.**

135 X. PUBLIC HEARING ITEMS

136

137 1. **Z2013-028** - Hold a public hearing to discuss and consider approval of an
138 **ordinance** for a request by Rockwall Gold & Silver on behalf of Donna
139 Pritchard for the approval of a Specific Use Permit for a pawn shop on a
140 portion of a 0.423-acre parcel of land, zoned Commercial (C) District and
141 located within the SH 205 Overlay (SH 205 OV) District, identified as Lot
142 1, Block 1 of the Garland Federal Savings & Loan Addition, specifically
143 Suite 1 of 1901 S. Goliad Street, and take any action necessary. **(1st**
144 **Reading)**

145 **Planning Director Robert LaCroix provided brief background information related to this**
146 **item. Notices were sent out to adjacent property owners located within two hundred feet**
147 **of the property, in accordance with the law. One of the eleven notices sent was received**
148 **back in favor. The Planning and Zoning Commission recommended approval of this item**
149 **by a vote of 5 ayes with 2 against.**

150 **Mayor Sweet opened the public hearing and called the applicant forth.**

151

152 **Lloyd and wife, Toni, Waldrop**
153 **(business owner)**
154 **1185 Aberdeen Lane**
155 **Rockwall, TX**

156

157 **Mr. Waldrop came forth and explained the nature of his request, sharing some**
158 **photographs and explaining that the main purpose is to do strictly jewelry loans in about**
159 **300 square feet of their floor space at this store. He explained he owns an 8,000 square**
160 **foot pawn shop at a separate location off of IH-30, and that is where big items will**
161 **continue to be handled. However, he indicated that he knows there is a certain stigma**
162 **about a pawn shop, and he realizes that a lot of his customers do not want to go into a**
163 **pawn shop store in order to perform a loan transaction. He indicated that this location**
164 **on Goliad (where loans are proposed to be performed) is very secure and that patrons**
165 **are buzzed in and out. He explained that, by law, in order to do loans, he has to get a**
166 **pawn shop license. He shared that the state examiner recently visited his business to**
167 **inspect his books, and the examiner suggested he consider doing pawn loans, indicating**
168 **that a lot of people in the industry are doing them. He stated he has a letter from the**
169 **examiner stating it will be ok to do jewelry loans as long as the City of Rockwall will**
170 **permit it.**

171

172 **City Attorney, Frank Garza, indicated the City of Rockwall, within an SUP, can control the**
173 **type of business, but the city cannot control how they conduct their business. General**
174 **discussion took place regarding possibly placing a time limit on the SUP.**

175

176 **Alice Bland**
177 **1410 S. Goliad Street, #1201**
178 **Rockwall, TX 75087**

179

180 **Mrs. Bland encouraged the council to consider that this neighborhood has a lot of**
181 **transients with the various apartment complexes located nearby. This business may**
182 **also have an affect on the police department because the police may be called due to this**
183 **type of business being a potential lure to criminals.**

184

185 There being no one else in the audience wishing to come forth and speak, Mayor Sweet
186 then closed the public hearing.

187
188 Councilmember Milder expressed concern about this SUP request, and he made a
189 motion to deny Z2013-028. Councilmember Pruitt seconded the motion.

190
191 Councilmember Daniels indicated he received some phone calls from business owners
192 (who are not property owners, so therefore did not receive the public notice that was
193 mailed out by city staff) expressing concern about having this pawn shop business
194 located so close to their own business. Mayor Pro Tem White suggested the council
195 consider granting the SUP but put a time limit on it of two to three years, and then revisit
196 the SUP at that time to gauge whether or not the applicant is operating their business in
197 a manner in which they proposed to council that they will operate. Councilmember Pruitt
198 expressed concern about the existing pay day loan business that is already operating at
199 this location, and he also has concerns about the proposed pawn shop. He believes that
200 this type of business attracts other, similar businesses, and it leads to a degradation of
201 the neighborhood.

202
203 After additional discussion, the motion to deny the SUP failed by a vote of 3 ayes to 4
204 nays (Townsend, White, Sweet and Lewis).

205
206 Mayor Pro Tem White made a motion to approve Z2013-028. Mayor Sweet seconded the
207 motion. He then amended his motion to stipulate that the SUP, if approved, would be
208 granted for a period of two years and would be revisited at the end of that specific time
209 period. Mayor Sweet seconded the amended motion. It was clarified that the motion to
210 approve will include 'staff conditions.'

211
212 After brief discussion, the ordinance was read as follows:

213
214 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
215 ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT
216 CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY
217 AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO ALLOW
218 FOR A "PAWNSHOP" ON A PORTION OF A 0.423-ACRE PARCEL
219 OF LAND, AND MORE SPECIFICALLY IDENTIFIED AS "SUITE 1" AS
220 DEPICTED IN EXHIBIT "A" ATTACHED HERETO, AND LOCATED
221 AT 1901 S. GOLIAD STREET, AND ZONED COMMERCIAL (C)
222 DISTRICT, AND DESCRIBED AS LOT 1, BLOCK 1 OF THE
223 GARLAND FEDERAL SAVINGS & LOAN ADDITION, CITY OF
224 ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR
225 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT
226 TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00)
227 FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;
228 PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN
229 EFFECTIVE DATE.

230
231 The motion passed 4 in favor and 3 against (Pruitt, Daniels, Milder).

232
233 2. **Z2013-029** - Hold a public hearing to discuss and consider approval of an
234 ordinance for a request by Cameron Slown on behalf of Med-Tech
235 Construction, Inc. for the approval of a Specific Use Permit for an
236 assisted living facility on a 0.96-acre tract of land identified as Lots 2 & 5,

237 Block 1 of the Alliance Addition, City of Rockwall, Rockwall County,
238 Texas, zoned Planned Development District 57 (PD-57), and located
239 southeast of the corner of the intersection of H. Wallace Lane and Jeff
240 Boyd Drive, and take any action necessary. **(1st Reading)**

241 **Planning Director Robert LaCroix provided brief background information related to this**
242 **agenda item. Notices were mailed to surrounding property owners, and no responses**
243 **have been received back at this time. The Planning & Zoning Commission did**
244 **recommend approval of this item by a unanimous vote.**

245 **Mayor Sweet opened the public hearing and called the applicant forth to speak.**

246
247 **Cameron Slown, the applicant, came forth and offered brief comments related to this**
248 **proposed assisted living facility.**

249
250 **Alice Bland**
251 **1410 S. Goliad Street, #1201**
252 **Rockwall, TX 75087**

253
254 **Mrs. Bland came forth and asked if this assisted living facility will be an affordable**
255 **assisted living facility. Mayor Sweet suggested that Mrs. Bland visit with the applicant,**
256 **Mr. Slown, in the lobby concerning this inquiry.**

257
258 **There being no one else wishing to come forth and speak, Mayor Sweet then closed the**
259 **public hearing.**

260
261 **Councilmember Pruitt made a motion to approve Z2013-029. Mayor Pro Tem White**
262 **seconded the motion. After additional discussion, the ordinance was read as follows:**

263
264 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
265 **TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF**
266 **ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A**
267 **SPECIFIC USE PERMIT TO ALLOW FOR AN "ASSISTED LIVING**
268 **FACILITY" ON A 0.96-ACRE TRACT OF LAND IDENTIFIED AS LOTS 2 & 5,**
269 **BLOCK 1 OF THE ALLIANCE ADDITION, AND FURTHER DESCRIBED IN**
270 **EXHIBIT "A" ATTACHED HERETO, AND ZONED PLANNED**
271 **DEVELOPMENT DISTRICT NO. 57 (PD-57), CITY OF ROCKWALL,**
272 **ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS;**
273 **PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF**
274 **TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;**
275 **PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A**
276 **REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

277
278 **The motion passed by a vote of 7 ayes to 0 nays.**

279
280 **3. Z2013-030 - Hold a public hearing to discuss and consider approval of an**
281 **ordinance for a request by Jim Smylie on behalf of Bill Burns for the**
282 **approval of a zoning change from Agricultural (Ag) District to a**
283 **Commercial (C) District for a 9.77-acre tract of land identified as Lots 18**
284 **& 19 of Rainbow Acres, City of Rockwall, Rockwall County, Texas,**
285 **located at the southeastern corner of the intersection of Ranch Trail Road**
286 **and County Line Road, and take any action necessary. (1st Reading)**

287 Planning Director Robert LaCroix provided brief background information related to this
288 agenda item. Notices were sent out to nineteen property owners within the area, and
289 staff has received two notices back in favor and one notice back in opposition. The
290 Planning & Zoning Commission has recommended approval of this item by a vote of 7 to
291 0.

292
293 Mayor Sweet opened the public hearing and called the applicant forth.

294
295 **Jim Smylie**
296 **16 Meadowlake Drive**
297 **Heath, TX**

298
299 There being no one else wishing to come forth and speak, Mayor Sweet then closed the
300 public hearing.

301
302 Mayor Pro Tem White made a motion to approve Z2013-030. Councilmember Townsend
303 seconded the motion. The ordinance was read as follows:

304
305 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
306 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE
307 NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED
308 SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN
309 ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL
310 (C) DISTRICT FOR A 9.76-ACRE TRACT OF LAND IDENTIFIED AS LOTS 18
311 & 19 OF RAINBOW ACRES, CITY AND COUNTY OF ROCKWALL, TEXAS
312 AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS
313 ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR
314 A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
315 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
316 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
317 PROVIDING FOR AN EFFECTIVE DATE.

318
319 After brief comments, the motion to approve passed by a vote of 7 ayes to 0 nays.

320
321 4. **P2013-031** - Hold a public hearing to discuss and consider a request by
322 Fritz McKinstry for the approval of a replat creating Lot 23, Block E of
323 Chandler's Landing, Phase 16 being currently identified as Lots 5R & 7R,
324 Block E of Chandler's Landing, Phase 16, zoned Planned Development
325 District 8 (PD-8), located at 257 & 265 Victory Lane, City of Rockwall,
326 Texas, and take any action necessary.

327 Planning Director Robert LaCroix provided brief background information related to this
328 agenda item.

329
330 **Fritz McKinstry**
331 **438 Columbia (in Chandlers Landing)**
332 **Rockwall, TX**

333
334 Mr. McKinstry came forth and indicated that he is making this request in order to
335 combine two, unbuildable lots into one, buildable lot.
336

337 There being no one else wishing to come forth and speak, Mayor Sweet then closed the
338 public hearing. Councilmember Daniels then made a motion to approve P2013-031.
339 Councilmember Lewis seconded the motion, which, after brief comments, passed by a
340 vote of 7 ayes to 0 nays.

341
342 5. Hold a public hearing to discuss and consider approval of a resolution
343 setting increased water and wastewater rates and meter deposits and
344 take any action necessary.

345 City Manager Rick Crowley indicated that the water rate increase is due, in part, to the
346 addition of water system infrastructure and associated increases in costs for treated
347 water. Assistant City Manager, Mary Smith, offered follow up comments, indicating that
348 the ten percent increase in the rates will cover the rate the city will be paying to the North
349 Texas Municipal Water District to pay for treated water, sewer treatment and debt service.
350 There are also increases due to the sewer treatment plant. The meter deposit the city
351 has had for a number of years is not sufficient to even cover even a one month utility bill.
352 If after three years, if a resident pays his or her bill on time and is not late on their bill, the
353 deposit will be credited back to the customer's utility billing account.

354
355 Councilmember Pruitt clarified that this water rate increase will be passing along to our
356 customers the rate increase that the city will be charged by the NTMWD. Councilmember
357 Pruitt generally expressed dissatisfaction with asking residents to conserve water, and,
358 then when they do conserve, they get hit with a rate increase.

359
360 Mayor Sweet opened the public hearing. There being no one wishing to come forth and
361 speak, Mayor Sweet then closed the public hearing.

362
363 Councilmember Lewis made a motion to approve the resolution setting increased water /
364 wastewater rates and meter deposits. Councilmember Milder seconded the motion,
365 which, after additional comments, passed by a vote of 7 ayes to 0 nays.

366
367 6. **Z2013-031 - (Postponed until December 10, 2013 Planning & Zoning**
368 **Meeting)** Hold a public hearing to discuss and consider approval of an
369 ordinance for a request by Shawn Valk on behalf of LGI Properties for the
370 approval of a Specific Use Permit to allow a mini-warehouse facility on a
371 5.94-acre tract of land, zoned Commercial (C) District and located within
372 the Scenic Overlay (SOV) District, being a portion of a 9.699-acre tract
373 land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No.
374 64, City of Rockwall, Rockwall County, Texas; located at the
375 southwestern corner of Ridge Road [FM-740] and Turtle Cove Boulevard,
376 and take any action necessary.

377
378 Councilmember Daniels made a motion to postpone Z2013-031 until December 16. Mayor
379 Pro Tem White seconded the motion, which passed by a vote of 6 ayes with 1 against
380 (Pruitt).

381
382 **XI. ACTION ITEMS**

383
384 1. **MIS2013-008** - Discuss and consider a request for the approval of a
385 special request for the purpose of permitting the construction of a carport
386 that does not conform to the setback and material requirements as

387 stipulated by Section 2.1.2(1) [Carports] of Article IV, Permissible Uses, of
388 the Unified Development Code, for a 0.17-acre property that is identified
389 as Lot 1166 of Rockwall Lake Estates #2 Addition, City of Rockwall,
390 Rockwall County, Texas, is zoned Planned Development District 75 (PD-
391 75), is generally located at 406 Wayne Drive, and take any action
392 necessary.

393 **Planning Director Robert LaCroix provided brief background information related to this**
394 **agenda item. He indicated that the Planning & Zoning Commission did recommend**
395 **approval of this item. The applicant came forth and indicated that he would like to build**
396 **this heavy duty carport in order to cover a new car he recently purchased.**

397 **Mayor Pro Tem White made a motion to approve MIS2013-008. Councilmember Lewis**
398 **seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

399 **2. P2013-032** - Discuss and consider a request by Rich Houston on behalf
400 of R. Fifty Green Homes, LLC for the approval of a preliminary plat for
401 Rockwall Solar Village, containing six (6) single family lots on a 2.055-
402 acre tract of land situated within the Rueben Ballard Survey, Abstract No.
403 29, Rockwall, Rockwall County, Texas; zoned Single Family 7 (SF-7)
404 District, located directly west of the intersection of SH-66 (Williams Street)
405 and Caruth Lane, and take any action necessary.

406 **Planning Director Robert LaCroix provided brief background information related to this**
407 **agenda item. The Park Board made some recommendations regarding land dedications**
408 **and park fees. The Planning & Zoning Commission has recommended approval of this**
409 **item by a vote of 6 to 1.**

410 **Mayor Pro Tem White made a motion to approve P2013-032, including the**
411 **recommendations of the Park Board and P&Z. Councilmember Pruitt seconded the**
412 **motion, which passed by a vote of 7 ayes to 0 nays.**

413 **3. P2013-034** - Discuss and consider a request by Corwin Engineering, Inc.
414 on behalf of the Cambridge Company, Inc. for the approval of a master
415 plat of Phases 1, 2 & 3 of the Rockwall Downs Subdivision, containing 86
416 single family lots on a 35.651-acre tract of land situated within the J. M.
417 Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas; zoned
418 Planned Development District 10 (PD-10), situated within the SH-205 By-
419 Pass Overlay (SH-205 BY OV) District, located adjacent to John King
420 Boulevard north of SH-276 and south of IH-30, and take any action
421 necessary.

422 **Planning Director Robert LaCroix provided background information related to this**
423 **agenda item.**

424 **The applicant came forth to speak.**

425 **Gary Dufraim**
426 **Cambridge Company**
427 **8235 Douglas**
428 **Dallas, TX**
429

430 **Mr. Dufraim indicated that the original zoning goes way back. We are in compliance with**
431 **the zoning ordinance, all staff comments and the Park Board comments. No variances**
432 **are involved. He explained that they are under contract with a single family home**

433 builder. The size of home that will be built is a minimum of 1500 square feet, but the
434 builder is anticipating 2,000-4,000 square foot homes.

435
436 Mayor Pro Tem White made a motion to approve P2013-034. Councilmember Townsend
437 seconded the motion. After additional comments, the motion passed by a vote of 7 ayes
438 to 0 nays.

439
440 4. **P2013-035** - Discuss and consider a request by Corwin Engineering, Inc.
441 on behalf of the Cambridge Company, Inc. for the approval of a
442 preliminary plat for Phases 1, 2 & 3 of the Rockwall Downs Subdivision,
443 containing 86 single family lots on a 35.651-acre tract of land situated
444 within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County,
445 Texas; zoned Planned Development District 10 (PD-10), situated within
446 the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent
447 to John King Boulevard north of SH-276 and south of IH-30, and take any
448 action necessary.

449 Planning Director Robert LaCroix provided background information related to this
450 agenda item.

451
452 Mayor Pro Tem White made a motion to approve P2013-035. Councilmember Townsend
453 seconded the motion, which passed by a vote of 7 ayes to 0 nays.

454
455 5. Discuss and consider re-adoption of an ordinance continuing a curfew
456 for minors under seventeen years of age, and take any action necessary.
457 (1st reading)

458 City Manager Rick Crowley provided brief background information related to this agenda
459 item. Police Chief Mark Moeller explained that in the summer time the curfew is until
460 midnight, seven nights per week. During the school year, the curfew is 11PM during the
461 weeknights and 12 midnight on Friday and Saturday.

462
463 Councilmember Milder made a motion to approve the ordinance as presented.
464 Councilmember Daniels seconded the motion. The motion passed by a vote of 5 ayes
465 with 2 against (Pruitt and White).

466 6. Hear update from the City Council Airport Subcommittee regarding the
467 status of the work of the Airport Advisory Committee and take any action
468 necessary.

469 City Manager Rick Crowley spoke to this agenda item, indicating that a subcommittee of
470 the Council has been working (White, Pruitt and Townsend), in partnership with three
471 REDC board members, on an airport expansion and development study related to future
472 plans for the Rockwall Municipal Airport. 90% of the study was funded by TXDOT with
473 10% of it being paid for by the REDC. The consultant conducted the study and helped
474 the city present it to TXDOT Aviation and the FAA for approval. The preliminary report
475 showed a 4,000 foot runway, additional aviation improvements and the potential to
476 acquire additional land to facilitate rerouting the adjacent road. The study evaluated the
477 possibility of achieving not only a 4,000 foot runway but a 5,000 foot runway. However, it
478 has been determined at this time that 4,000 linear feet is the practical limitation for the
479 anticipated runway length. The initial study has been presented to TXDOT. Some issues

480 require further clarification from the FAA. Congressman Hall is helping staff with some
481 of this work and associated FAA review.

482 Councilmember Pruitt followed up, indicating that he requested this agenda item as a
483 means by which to provide a status update to the full council related to the work of the
484 council subcommittee. He explained that unless the FAA grants the city various waivers
485 and TXDOT approves them, the city will be unable to do some of the things it wishes to
486 do, such as extending the runway and rerouting Airport Road. If Congressman Hall can
487 assist with getting the appropriate waivers from the FAA and approval from TXDOT
488 Aviation, then the city will be able to extend the runway. He explained that a 'safe zone'
489 at the end of the runway will be necessary upon extension of the runway. If appropriate
490 waivers and approvals are not obtained, the city will need to proceed with making our
491 airport one of the best general aviation airports that we can.

492 Mayor Pro Tem White indicated that after more than two years of work, the city is finally
493 in a position to attempt to get answers from the FAA which will tell the city what
494 decisions will be able to be made economically. He commented that several large
495 aviation type businesses are interested in our airport and there are large corporate
496 entities interested in the future of our airport as well. The future of the airport is affecting
497 their decision to look at Rockwall to relocate. Mayor Pro Tem White clarified that the
498 furthest the runway would ever go down would be to the railroad tracks. Going north is
499 not an option due to the large amount of fill dirt that would be needed on the north end.
500 So, it is as far north as it is going to go; however, the city would like to see about
501 extending it a little further south to the railroad tracks. However, they are interested in
502 the result of the possible airport expansions / runway extension due to the type of
503 aircraft the airport handles now and would be able to handle, should the city be able to
504 extend it.

505 Mr. Crowley pointed out that what has been proposed to the FAA regarding making the
506 runway protection zone area a hard surface is a safer alternative than what is being
507 required under the new standard. So the city is actually proposing a positive, safety-
508 based request to the FAA which will improve safety at the airport.

509 After additional comments, no action was taken by council related to this agenda item.

510 7. Discuss and consider approval of a resolution authorizing the Mayor of
511 the City of Rockwall to order that the City of Rockwall municipal flag be
512 flown at half staff at city facilities in certain circumstances, and take any
513 action necessary.

514 Mayor Sweet offered brief comments, indicating that he requested this item and asked
515 that it be placed on the agenda for consideration. Councilmember Lewis made a motion
516 to approve the resolution. Mayor Pro Tem White seconded the motion, which, after brief
517 comments, passed by a vote of 7 ayes to 0 nays.

518 8. Discuss and consider follow up regarding Neighborhood Improvement
519 Services property maintenance concern, and take any action necessary.

520 Councilmember Daniels placed this item on the council agenda for staff to provide an
521 update to the council. Assistant City Manager Brad Griggs indicated that staff did visit
522 with the resident who had expressed concern about disrepairs at her apartment complex,
523 and staff's work to further evaluate and assist with this effort was already in order and
524 underway by the time we had the council meeting on November 4th. Staff did go out the
525 next day, on November 5th, to evaluate and attempt to address the resident's concerns.
526 Councilmember Daniels indicated that he has known Mr. Griffin, NIS Supervisor, for a

527 number of years and believes him to be a man of integrity and a man who is a
528 compassionate employee who cares about residents' concerns. After brief comments,
529 the council took no action related to this agenda item.

530 9. Discuss and consider approval of the Texas Task Force Urban Search
531 and Rescue Agreement between the City of Dallas and City of Rockwall,
532 authorizing the Mayor and City Attorney to execute the agreement on the
533 city's behalf, and take any action necessary.

534 Fire Chief Mark Poindexter provided background information related to this agenda item.
535

536 Mayor Pro Tem White made a motion to approve the agreement between the City of
537 Dallas and the City of Rockwall related to the TX Task Force Urban Search and Rescue
538 agreement. Councilmember Pruitt seconded the motion, which passed by a vote of 7
539 ayes to 0 nays.

540 XII. EXECUTIVE SESSION
541

542 THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS
543 THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT
544 CODE:

545 1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of
546 Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section
547 551.071 (Consultation with Attorney)

548 2. Discussion regarding securing legal representation from Carrington,
549 Coleman, Sloman & Blumenthal, L.L.P. pertaining to TF-Harbor LLC v.
550 City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to
551 Tex. Gov't. Code, § 551.071 (Consultation with Attorney).

552 3. Discussion regarding Economic Development incentives, procedures and
553 possible projects pursuant to Section 551.087 (Economic Development)

554 4. Discussion regarding appointments to city regulatory boards,
555 commissions, and committees including the Rockwall Central Appraisal
556 District pursuant to Section §551.074 (personnel matters)

557 XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION
558

559 The council did not reconvene into Executive Session at the close of the public meeting.
560 See start of the 6:00 p.m. public meeting above for action taken out of the pre-meeting
561 Executive Session.
562

563 XIV. ADJOURNMENT
564

565 Mayor Sweet adjourned the meeting at 8:34 p.m.
566
567

568 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
569 TEXAS, this 2nd day of December, 2013.

570

571

572

573 **ATTEST:**

574

575

576 _____
Kristy Ashberry, City Secretary

David Sweet, Mayor

433 builder. The size of home that will be built is a minimum of 1500 square feet, but the
434 builder is anticipating 2,000-4,000 square foot homes.

435
436 Mayor Pro Tem White made a motion to approve P2013-034. Councilmember Townsend
437 seconded the motion. After additional comments, the motion passed by a vote of 7 ayes
438 to 0 nays.

439
440 4. **P2013-035** - Discuss and consider a request by Corwin Engineering, Inc.
441 on behalf of the Cambridge Company, Inc. for the approval of a
442 preliminary plat for Phases 1, 2 & 3 of the Rockwall Downs Subdivision,
443 containing 86 single family lots on a 35.651-acre tract of land situated
444 within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County,
445 Texas; zoned Planned Development District 10 (PD-10), situated within
446 the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent
447 to John King Boulevard north of SH-276 and south of IH-30, and take any
448 action necessary.

449 Planning Director Robert LaCroix provided background information related to this
450 agenda item.

451
452 Mayor Pro Tem White made a motion to approve P2013-035. Councilmember Townsend
453 seconded the motion, which passed by a vote of 7 ayes to 0 nays.

454
455 5. Discuss and consider re-adoption of an ordinance continuing a curfew
456 for minors under seventeen years of age, and take any action necessary.
457 (1st reading)

458 City Manager Rick Crowley provided brief background information related to this agenda
459 item. Police Chief Mark Moeller explained that in the summer time the curfew is until
460 midnight, seven nights per week. During the school year, the curfew is 11PM during the
461 weeknights and 12 midnight on Friday and Saturday.

462
463 Councilmember Milder made a motion to approve the ordinance as presented.
464 Councilmember Daniels seconded the motion. The motion passed by a vote of 5 ayes
465 with 2 against (Pruitt and White).

466 6. Hear update from the City Council Airport Subcommittee regarding the
467 status of the work of the Airport Advisory Committee and take any action
468 necessary.

469 City Manager Rick Crowley spoke to this agenda item, indicating that a subcommittee of
470 the Council has been working (White, Pruitt and Townsend), in partnership with ~~the three~~
471 REDC board members, on an airport expansion and development study ~~and plan~~related
472 to future plans for the Rockwall Municipal Airport. 90% of the study was funded by
473 TXDOT with 10% of it being paid for by the REDC. The consultant conducted the study
474 and helped the city present it to TXDOT Aviation and the FAA for approval. ~~It~~
475 includesThe preliminary report showed a 1,000- 4,000 foot runway, additional aviation
476 improvements and the potential to acquire additional land to ~~reroute~~facilitate rerouting
477 the adjacent road. ~~This would take the runway from 4,000 to 5,000 feet.~~ The study
478 evaluated the possibility of achieving not only a 4,000 foot runway but a 5,000 foot
479 runway. However, it has been determined at this time that 4,000 linear feet is the

480 practical limitation for the anticipated runway length. The initial study has been
481 presented to TXDOT, ~~and s.~~ Some issues require further clarification from the FAA
482 additional work needs to be done before it can be taken to FAA. Congressman Hall is
483 helping staff with some of this work and associated FAA review.

484 Councilmember Pruitt followed up, indicating that he requested this agenda item as a
485 means by which to provide a status update to the full council related to the work of the
486 council subcommittee. He explained that unless the FAA grants the city various waivers
487 and TXDOT approves them, the city will be unable to do some of the things it wishes to
488 do, such as extending the runway and rerouting Airport Road. If Congressman Hall can
489 assist with getting the appropriate waivers from the FAA and approval from TXDOT
490 Aviation, then the city will be able to extend the runway. He explained that a 'safe zone'
491 at the end of the runway will be necessary upon extension of the runway. If appropriate
492 waivers and approvals are not obtained, the city will need to proceed with making our
493 airport one of the best general aviation airports that we can.

494 Mayor Pro Tem White indicated that after more than two years of work, the city is finally
495 in a position to attempt to get answers from the FAA regarding the possibility of runway
496 expansion which will tell the city what decisions will be able to be made economically. He
497 commented that several ~~companies~~ large aviation type businesses are interested in our
498 airport and there are large corporate entities interested in the future of our airport as
499 well. The future of the airport is affecting their decision to look at Rockwall to are
500 looking to Rockwall to possibly relocate or locate their business; Mayor Pro Tem White
501 clarified that the furthest the runway would ever go down would be to the railroad tracks.
502 Going north is not an option due to the large amount of fill dirt that would be needed on
503 the north end. So, it is as far north as it is going to go; however, the city would like to
504 see about extending it a little further south to the railroad tracks. however, they are
505 interested in the result of the possible airport expansions / runway extension due to the
506 type of aircraft the airport handles now and would be able to handle, should the city be
507 able to extend it.

508 Mr. Crowley pointed out that what has been proposed to the FAA regarding making the
509 runway protection zone area a hard surface is a safer alternative than what is being
510 required under the new standard. So the city is actually proposing a positive, safety-
511 based request to the FAA which will will also improve safety at the airport.

512 After additional comments, no action was taken by council related to this agenda item.

513 7. Discuss and consider approval of a resolution authorizing the Mayor of
514 the City of Rockwall to order that the City of Rockwall municipal flag be
515 flown at half staff at city facilities in certain circumstances, and take any
516 action necessary.

517 Mayor Sweet offered brief comments, indicating that he requested this item and asked
518 that it be placed on the agenda for consideration. Councilmember Lewis made a motion
519 to approve the resolution. Mayor Pro Tem White seconded the motion, which, after brief
520 comments, passed by a vote of 7 ayes to 0 nays.

521 8. Discuss and consider follow up regarding Neighborhood Improvement
522 Services property maintenance concern, and take any action necessary.

523 Councilmember Daniels placed this item on the council agenda for staff to provide an
524 update to the council. Assistant City Manager Brad Griggs indicated that staff did visit
525 with the resident who had expressed concern about disrepairs at her apartment complex,
526 and staff's work to further evaluate and assist with this effort was already in order and

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MINUTES
ROCKWALL CITY COUNCIL
Monday, December 02, 2013
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

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8

I. CALL PUBLIC MEETING TO ORDER

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Mayor Sweet called the public meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem David White and Council Members Jim Pruitt, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza. Mayor Sweet then read the below listed discussion items into the record before immediately recessing the public meeting into Executive Session.

16
17

II. EXECUTIVE SESSION.

18
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21

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

- 22
23
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33
1. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)
 2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District and Rockwall Economic Development Corporation (REDC) pursuant to Section §551.074 (personnel matters)
 3. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
 4. Discussion regarding appointment of city council member to a Rockwall Independent School District (RISD) subcommittee pursuant to Section, § 551.074 (Personnel Matters).

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35

III. ADJOURN EXECUTIVE SESSION

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37

Executive Session was adjourned at 5:10 p.m.

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43

MINUTES
ROCKWALL CITY COUNCIL
Monday, December 02, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

44 **IV. RECONVENE PUBLIC MEETING**

45
46 **Mayor Sweet reconvened the public meeting at 6:00 p.m. All seven city council members**
47 **were present as well as City Manager Rick Crowley, Assistant City Managers Mary Smith**
48 **and Brad Griggs and City Attorney Frank Garza.**

49
50 **V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

51
52 **Councilmember Daniels made a motion to reappoint the following board members to the**
53 **Rockwall Economic Development Corporation for the terms specified below:**

- 54
55
 - **Bill Houser – reappointed to a 1 year term ending December 2014**
 - **John Hohenshelt – reappointed to a 1 year term ending December 2014**
 - **Kevin Fowler – reappointed to a 2 year term ending December 2015**

56
57
58
59 **Mayor Pro Tem White seconded the motion, which passed unanimously of council.**

60
61 **VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS**

62
63 **Councilmember Daniels delivered the invocation and led the Pledge of Allegiance.**

64
65 **VII. OPEN FORUM**

66
67 **Mayor Sweet explained how Open Forum is conducted and asked if anyone in the audience**
68 **would like to come forth to address the city council at this time.**

69
70 **Ben Weible**
71 **215 Trout**
72 **Rockwall, Texas**

73
74 **Mr. Weible came forth and indicated he would like to address the council regarding**
75 **individual liberties, including the proposed reinstatement of the juvenile curfew, which he**
76 **will do during the appropriate public hearing tonight. He expressed concern regarding**
77 **some of the comments offered at the last city council meeting regarding the proposed**
78 **Rockwall Gold and Silver SUP (for a pawnshop). He is also concerned about Action Item #3**
79 **on tonight's council agenda regarding a proposed moratorium on a certain type of small**
80 **business (businesses that sell e-cigarettes, non-traditional smoking products, etc.). He**
81 **generally expressed that he is opposed to restrictions on businesses, as it is not the proper**
82 **role of government to interfere with free trade and businesses.**

83
84 **Jack Athey**
85 **1780 Airport Road**
86 **Rockwall, TX 75087**
87

88 Mr. Athey referred to the draft minutes from the last council meeting on November 18th, and
89 he wondered about the city possibly taking the runway from 4,000 feet to 5,000 feet. He is
90 unsure of where this extra runway space will come from. City Manager Rick Crowley
91 indicated that if he did say this at the Nov. 18th meeting, it was a misstatement or
92 misunderstood in the minutes. Councilmember Pruitt clarified that all the studies have
93 shown that it will not be possible for the city to have a 5,000 foot runway, and that the city
94 would be lucky to be able to get a 4,000 foot runway. Mr. Crowley suggested that staff may
95 need to revisit the November 18th minutes to correct any errors or misstatements.
96

97 **VIII. CONSENT AGENDA**
98

- 99 1. Consider approval of the minutes from the November 18, 2013 regular city
100 council meeting, and take any action necessary.
- 101 2. Consider authorizing the City Manager to execute a renewal contract with
102 ING to secure reinsurance/stop loss coverage for the City's self-insured
103 employee health coverage applying to claims exceeding \$100,000, and take
104 any action necessary.
- 105 3. Consider authorizing the City Manager to execute an engineering services
106 contract with Hydrological Support Services, LLC in an amount not to exceed
107 \$40,000.00, with funding being provided from the FY 2013-14 Department
108 Operations Budget and developer reimbursement, and take any action
109 necessary.
- 110 4. Consider approval of an **ordinance** allowing various sanitary sewer
111 materials to be included in the City's Standards of Design and Construction
112 Manual and the North Central Texas Council of Governments Standard
113 Specifications for Public Works Construction (3rd Edition), and take any
114 action necessary. **(2nd reading)**
- 115 5. Consider authorizing the City Manager to execute Purchase Orders with
116 Caldwell Country in the amount of \$144,575 and Dallas Dodge in the amount
117 of \$123,750 for the purchase of Police Pursuit vehicles approved in the 2014
118 budget; funded with General Reserves, and take any action necessary.
- 119 6. Consider authorizing the City Manager to execute a Purchase Order with
120 Brazos Technologies in the amount of \$86,257 for the purchase of the Police
121 E-Citation System approved in the 2014 budget; funded with General
122 Reserves, and take any action necessary.
- 123 7. Consider authorizing the City Manager to execute a Purchase Order with
124 Caldwell Country in the amount of \$55,142 for the purchase of 2 Parks
125 service trucks; approved in the 2014 budget, funded with General Reserves
126 and take any action necessary.
- 127 8. Consider authorizing the City Manager to bid and purchase a fuel truck on
128 Rene Bates Auctioneers, Inc. in an amount not to exceed \$10,000.00, to be
129 used at Ralph M. Hall / Rockwall Municipal Airport, to be funded from
130 General Fund Reserves, and take any action necessary.
- 131 9. Consider authorizing the City Manager to execute an agreement with
132 Rockwall County regarding Subdivision Regulation Enforcement in the extra
133 territorial jurisdiction (ETJ) of the City of Rockwall located in Rockwall
134 County, and take any action necessary.

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10. **P2013-039** - Consider a request by Jay Bedford on behalf of the owner Rick Sharp for the approval of a final plat for Lots 1-3, Block A of the Sharp Addition being a 9.259-acre tract of land currently identified as Tract 2 of the J. A. Ramsey Survey, Abstract No. 186, Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) Light Industrial (LI) District, located at 2578 & 2582 SH-276, and take any action necessary.
 11. **Z2013-029** - Consider approval of an **ordinance** for a request by Cameron Slown on behalf of Med-Tech Construction, Inc. for the approval of a Specific Use Permit for an assisted living facility on a 0.96-acre tract of land identified as Lots 2 & 5, Block 1 of the Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57), and located southeast of the corner of the intersection of H. Wallace Lane and Jeff Boyd Drive, and take any action necessary. **(2nd reading)**
 12. **Z2013-030** - Consider approval of an **ordinance** for a request by Jim Smylie on behalf of Bill Burns for the approval of a zoning change from Agricultural (Ag) District to a Commercial (C) District for a 9.77-acre tract of land identified as Lots 18 & 19 of Rainbow Acres, City of Rockwall, Rockwall County, Texas, located at the southeastern corner of the intersection of Ranch Trail Road and County Line Road, and take any action necessary. **(2nd Reading)**

155 **Mayor Pro Tem White made a motion to approve the Consent Agenda except for Item #1**
156 **(approve #s 2-12). Councilmember Daniels seconded the motion. The ordinances were**
157 **read as follows:**

158 **CITY OF ROCKWALL, TEXAS**
159 **ORDINANCE NO. 13-45**

160
161 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
162 **AMENDING CHAPTER 38. SUBDIVISIONS, ARTICLE I. IN GENERAL, SECTION 38-23.**
163 **STANDARDS FOR DESIGN OF DEVELOPMENT WITHIN SUBDIVISIONS ADOPTED TO**
164 **AMEND THE CITY OF ROCKWALL'S SUPPLEMENTAL SPECIAL PROVISIONS TO**
165 **THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, NORTH**
166 **CENTRAL TEXAS, 3RD EDITION; PROVIDING FOR A PENALTY OF FINE NOT TO**
167 **EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;**
168 **AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY**
169 **DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY**
170 **CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN**
171 **EFFECTIVE DATE.**

172 **CITY OF ROCKWALL**
173 **ORDINANCE NO. 13-47**
174 **SPECIFIC USE PERMIT NO. S-116**

175
176 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
177 **AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL,**
178 **TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO**
179 **ALLOW FOR AN "ASSISTED LIVING FACILITY" ON A 0.96-ACRE TRACT OF LAND**
180 **IDENTIFIED AS LOTS 2 & 5, BLOCK 1 OF THE ALLIANCE ADDITION, AND FURTHER**
181 **DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, AND ZONED PLANNED**
182 **DEVELOPMENT DISTRICT NO. 57 (PD-57), CITY OF ROCKWALL, ROCKWALL**
183 **COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A**
184 **PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS**
185 **(\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;**
186 **PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**
187

CITY OF ROCKWALL
ORDINANCE NO. 13-48

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR A 9.76-ACRE TRACT OF LAND IDENTIFIED AS LOTS 18 & 19 OF RAINBOW ACRES, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council.

Mayor Pro Tem White made a motion to table approval of the November 18, 2013 council meeting minutes until the next regular council meeting to allow staff to make any necessary corrections to the minutes. Councilmember Lewis seconded the motion, which passed unanimously.

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Mayor Sweet indicated that Mr. Renfro, Chair of the P&Z, is not present this evening, so this item was not discussed and no action was taken regarding this agenda item.

2. Appointment with representative(s) of the Rockwall's Original Pumpkin Patch to hear report related to use of Hotel/Motel Occupancy Tax Funding, and take any action necessary.

Mrs. Welborn reported on the use of \$2,000.00 that the city granted to this organization to be utilized for advertising expenses. She indicated that several handouts have been provided to the council in their meeting packets. Mrs. Welborn indicated that several out of state and out of town visitors came to the Pumpkin Patch this year with an estimated thirty or so visitors staying the night in Rockwall. She also shared that this past "Original Pumpkin Patch" was the last of these annual events that will be held in Rockwall due to a forty percent increase in costs for pumpkins and supplies, in large part due to the drought.

Councilmembers Lewis and Daniels thanked Mrs. Welborn for her report and for the many years of this fun event benefitting the Rockwall community. Mrs. Welborn thanked the council and the city for their many years of support for this event.

Mayor Sweet then called for a short break, briefly recessing the public meeting.

X. PUBLIC HEARING ITEMS

1. **A2013-001 (6:00 p.m.)** - Hold a public hearing and consider a City initiated request to annex land in accordance with previously approved Chapter 212 Texas Local Government Code Development Agreements, specifically for four (4) tracts of land comprising approximately 42.482-acres of land situated

240 in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey,
241 Abstract No. 181 and generally located contiguous to the existing city limits
242 line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically
243 described as follows: (1)Tract 17-14 of the W. W. Ford Survey, Abstract No.
244 80 being 12.493-acres, (2) Tract 40 of the W. W. Ford Survey, Abstract No.
245 80 being 8.989-acres, (3) Tract 40-1 of the W. W. Ford Survey, Abstract No.
246 80 being 1-acre, (4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181
247 being 20-acres.

248 **Planning Director Robert LaCroix provided background information related to this agenda**
249 **item. He indicated that 212 development agreement recently expired, and some landowners**
250 **did not wish to renew the 212 development agreement, indicating they would like to go**
251 **ahead and be annexed by the city at this time. Staff has published notice of this annexation**
252 **and associated public hearings in the local newspaper of record in accordance with the law.**
253 **This is the first of the two required public hearings. Mr. LaCroix further indicated that the**
254 **first reading of the ordinance will occur at the first council meeting in January, with the**
255 **second reading happening on second council meeting in January.**

256
257 **Mayor Sweet opened the public hearing and asked if anyone would like to come forth and**
258 **speak. There being no one wishing to come forth, Mayor Sweet then closed the public**
259 **hearing.**

260
261 **At the request of Mayor Pro Tem White, Mr. LaCroix clarified that these annexations are in**
262 **fact considered voluntary.**

263
264 **No action was taken by council at this time.**

265
266 **2. A2013-001 (6:30 p.m.) - Hold a public hearing and consider a City initiated**
267 **request to annex land in accordance with previously approved Chapter 212**
268 **Texas Local Government Code Development Agreements, specifically for**
269 **four (4) tracts of land comprising approximately 42.482-acres of land situated**
270 **in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey,**
271 **Abstract No. 181 and generally located contiguous to the existing city limits**
272 **line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically**
273 **described as follows: (1)Tract 17-14 of the W. W. Ford Survey, Abstract No.**
274 **80 being 12.493-acres, (2) Tract 40 of the W. W. Ford Survey, Abstract No.**
275 **80 being 8.989-acres, (3) Tract 40-1 of the W. W. Ford Survey, Abstract No.**
276 **80 being 1-acre, (4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181**
277 **being 20-acres.**

278 **Mayor Sweet opened the public hearing, asking if anyone in the audience would like to come**
279 **forth and speak. There being no one indicating a desire to come forth, Mayor Sweet then**
280 **closed the public hearing. The council took no action related to this agenda item.**

281 **3. Hold a public hearing to discuss and consider re-adoption of an ordinance**
282 **continuing a curfew for minors under seventeen years of age, and take any**
283 **action necessary. (2nd reading)**

284 **Mayor Sweet opened the public hearing, asking if anyone would like to come forward and**
285 **speak at this time.**

286
287 **Mr. Ben Weible**
288 **215 Trout**
289 **Rockwall, Texas**

290
291 **Mr. Weible generally expressed that he is opposed to this teen curfew ordinance. He is**
292 **concerned that with each new law enacted, new criminals are created. He expressed he**
293 **believes more juvenile crime occurs in the late afternoon when the kids are getting out of**
294 **school rather than late at night. He is concerned about this singling out and curtailing the**
295 **rights of a certain segment of citizens. He shared that the actions of kids are the**
296 **responsibility of their parents and guardians, and it is not the city's responsibility to**
297 **intervene in this regard.**

298
299 **There being no one else wishing to come forth and speak, Mayor Sweet then closed the**
300 **public hearing.**

301
302 **City Manager Rick Crowley indicated that a small deficiency has been identified in the**
303 **proposed ordinance, so if council wishes to adopt it on second reading this evening, they**
304 **will need to do so with the understanding that the slight modification (regarding day of the**
305 **week) be included in the motion to approve.**

306
307 **Councilmember Lewis then made a motion to approve the ordinance reinstating the teen**
308 **curfew ordinance, including correcting 22.101 (a)(2) to read Friday and Saturday in lieu of**
309 **Saturday and Sunday. Councilmember Daniels seconded the motion.**

310
311 **Councilmember Pruitt expressed comments in opposition of this ordinance. Mayor Pro**
312 **Tem White indicated that he is generally opposed to this ordinance as well.**

313
314 **Councilmembers Lewis and Daniels indicated that parents cannot always be there when**
315 **teenagers are out and about, for example when they are staying the night over at a friend's**
316 **house. They, therefore, believe the ordinance is a good idea.**

317
318 **After brief comments, the ordinance as read as follows:**

319
320 **CITY OF ROCKWALL, TEXAS**
321 **ORDINANCE NO. 13-49**

322
323 **AN ORDINANCE OF THE CITY OF ROCKWALL CONTINUING WITH CURFEW FOR**
324 **MINORS UNDER SEVENTEEN YEARS OF AGE PER CHAPTER 22, ARTICLE II,**
325 **DIVISION 4, SECTIONS 22-99 THROUGH 22-103 OF THE CODE OF ORDINANCES;**
326 **ENTITLED TRIENNIAL REVIEW; PROVIDING FOR ENFORCEMENT; ESTABLISHING**
327 **CRIMINAL PENALTIES; AND SETTING AN EFFECTIVE DATE**

328 **The motion passed by a vote of 5 in favor with 2 against (Pruitt and White).**

329
330 **XI. ACTION ITEMS**

- 331
332 **1. Z2013-028 - Discuss and consider approval of an ordinance for a request**
333 **by Rockwall Gold & Silver on behalf of Donna Pritchard for the approval of a**
334 **Specific Use Permit for a pawn shop on a portion of a 0.423-acre parcel of**
335 **land, zoned Commercial (C) District and located within the SH 205 Overlay**
336 **(SH 205 OV) District, identified as Lot 1, Block 1 of the Garland Federal**
337 **Savings & Loan Addition, specifically Suite 1 of 1901 S. Goliad Street, and**
338 **take any action necessary. (2nd Reading)**

339 **Mayor Pro Tem White made a motion to approve Z2013-028. Councilmember Lewis**
340 **seconded the motion.**

341 Councilmember Pruitt explained that he voted against this item last time. He
342 expressed he is also opposed to this item because, by granting this SUP, it will be
343 essentially granting a monopoly to this particular business.

344 The ordinance was then read as follows:

345 CITY OF ROCKWALL
346 ORDINANCE NO. 13-46
347 SPECIFIC USE PERMIT NO. S-115
348

349 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
350 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL,
351 TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO
352 ALLOW FOR A "PAWNSHOP" ON A PORTION OF A 0.423-ACRE PARCEL OF LAND,
353 AND MORE SPECIFICALLY IDENTIFIED AS "SUITE 1" AS DEPICTED IN EXHIBIT "A"
354 ATTACHED HERETO, AND LOCATED AT 1901 S. GOLIAD STREET, AND ZONED
355 COMMERCIAL (C) DISTRICT, AND DESCRIBED AS LOT 1, BLOCK 1 OF THE
356 GARLAND FEDERAL SAVINGS & LOAN ADDITION, CITY OF ROCKWALL,
357 ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING
358 FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
359 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY
360 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE
361 DATE.
362

363 After brief comments, the motion to approve passed by a vote of 4 ayes to 3 nays
364 (Pruitt, Milder and Daniels).

365 2. MIS2013-010 - Discuss and consider a request by Russell Phillips for the
366 approval of a waiver of design standards in conjunction with a previously
367 approved site plan for a streetscape plan for Planned Development District
368 32 (PD-32) on property being situated within the Summit Office & Hillside
369 Sub-Districts and located within the right-of-way of Sunset Ridge Drive,
370 Pinnacle Way and Harbor Heights Drive, and take any action necessary.

371 Planning Director Robert LaCroix provided background information related to this agenda
372 item, indicating that the applicant is essentially requesting to be able to utilize Italian
373 Cypress trees and change out certain light fixtures.

374
375 Russell Phillips
376 Sterling One Properties
377

378 Mayor Pro Tem White made a motion to approve MIS2013-010. Councilmember Pruitt
379 seconded the motion, which passed unanimously of council present.

380
381 3. Discuss and consider a resolution placing a 180 day moratorium on the
382 acceptance, processing of applications and issuance of permits for the
383 operation of non-traditional smoking related businesses including regulation
384 of vaporizers, e-cigarettes and other non-traditional smoking products within
385 the corporate limits of the City of Rockwall, and take any action necessary.

386 Councilmember Milder indicated that he placed this item on the council agenda. He is in
387 favor of free enterprise; however, he is more in favor of the best interest of his children. He
388 is concerned about these business establishments encouraging the sale of these sorts of
389 products to minors. He stated that there are currently no federal or state regulations on this
390 type of product, indicating there are no guidelines on the permissible ingredients that can be
391 utilized in these products. He is concerned that there are toxins and nicotine in these

392 products, and sellers are marketing to minors. He indicated his fourteen year old son and
393 his friend walked into a local store of this nature and purchased liquid e-cigarette in “gummy
394 bear” flavor. He indicated that his son was given the option by the clerk to purchase the
395 product with or without nicotine, and he was able to purchase a \$7.00 bottle of this product
396 with nicotine without question. Councilmember Milder indicated that the resolution being
397 proposed tonight does not reflect his true intent, so he’s not going to make a motion on this
398 particular resolution this evening.

399 Councilmember Milder indicated that he would like to consider placing an SUP requirement
400 on this type of business in the future, and he would also like a resolution brought forth at the
401 next city council meeting to consider prohibiting the sale of these products to minors within
402 the City of Rockwall.

403 Mayor Sweet asked for clarification regarding any possible legal concerns related to placing
404 an SUP requirement and restricting the sale of these products to minors. Mr. Garza
405 indicated that, for example, the City of Austin has restrictions on hookah bars disallowing
406 anyone less than 18 years of age into those type of establishments. He indicated that we are
407 a Home Rule city, so the city is able to place such a restriction if desired. More research is
408 needed on this topic, so Mr. Garza asked permission to have until the first council meeting in
409 January to bring back a proposed ordinance regarding restricting the sale of these products
410 to minors. He stated that he will attempt to have this ready to bring back by the next council
411 meeting in December; however, he would like council to allow him a little more time (until
412 January) if necessary.

413 Assistant Police Chief Kirk Riggs came forth and offered brief comments related to this
414 topic, pointing out that enforcement of such restrictions will need to be considered,
415 especially since some of the vaping products do not contain nicotine at all whereas others
416 do.

417 Councilmember Pruitt generally indicated that he is against the government regulating these
418 vaping products.

419 Mayor Pro Tem White offered comments, generally indicating that he does not believe the
420 government should regulate this product, stating that government regulation of a perfectly
421 legitimate product should not be a replacement for good parenting.

422 Councilmember Daniels indicated that he believes this subject matter does warrant further
423 exploration and discussion. Councilmember Pruitt agreed this topic does deserve further
424 exploration and debate.

425 Mr. Garza pointed out that, of the ordinances he has seen out there currently, they do not
426 address possession of the product – they only limit the sale of these products based on age.

427 The council took no action related to this agenda item.

428 4. Discuss and consider a request by Republic Waste to increase solid waste
429 collection fees effective January 1, 2014, and take any action necessary.

430 **Brenda Lalonde**
431 **1450 East Cleburne Road**
432 **Hutchins, TX**

433
434 **Rick Burnis**
435 **161 Pelican Cove**
436 **Rockwall, TX**

437
438 **Mrs. Lalonde of Republic Waste came forth to address the council concerning this item.**

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Mrs. Lalonde indicated that this request for a rate increase is per the contract and was submitted to Assistant City Manager, Mary Smith, about a month or so ago. She indicated that this request is, in part, related to an increase in hauling costs. The increase is related to the Municipal Cost Index (MCI). This increase came out to 1.46%, which equates to .19 cents per home. She stated that there was no increase in disposal costs.

Assistant City Manager Mary Smith provided a brief description of MCI, explaining that it is similar, yet somewhat different, than CPI. Mrs. Lalonde and Mr. Burnis briefly explained the various costs that make up the hauling fees.

Councilmember Pruitt asked clarifying questions related to the various costs per household related to trash, bulk and recycling collection services. He pointed out that residents pay \$1.99 fee in order to have recycling service. Mr. Burnis pointed out that there is a rebate involved in that fee as well, and that rebate is returned to the city. Mrs. Smith indicated that the rebate is paid at \$20 a ton, and Republic rebates it to the city monthly via a check. She indicated that typically approximately \$30,000 per year is returned back to the city, via this rebate, in association with recycling. City Manager Rick Crowley indicated that some years ago, a survey was sent out to residents, and the results indicated that residents were overwhelmingly in favor of being able to have recycling services. Councilmember Pruitt suggested that the city may want to resend a survey of this nature to citizens because he does not believe it is a prudent business decision for residents to be paying \$1.99 per household for the ability to recycle.

Mrs. Smith indicated that the current contract with Republic runs through December of 2015. At the time the contract was bid and awarded, the city council at that time chose Republic, who was not the lowest bidder, because of the great service residents had experienced under this contractor. General and brief comments took place related to how our rates and services compare to cities around us.

Councilmember Lewis made a motion to approve the increase in solid waste collection fees effective January 1, 2014. Councilmember Daniels seconded the motion. It was clarified that, if approved, this rate would remain in effect until which time as Republic requests another rate increase. The motion then passed by a vote of 4 in favor with 3 against (White, Sweet and Milder).

XII. CITY MANAGER’S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
 - Building Inspections Monthly Report - October 2013
 - Fire Department Monthly Reports - October 2013
 - Harbor PD Monthly Report - October 2013
 - Internal Operations Department Monthly Report - October 2013
 - Parks & Recreation Department Monthly Report - October 2013
 - Police Department Monthly Report - October 2013
 - Rockwall Animal Adoption Center (RAAC) Monthly Report - October 2013
2. City Manager’s Report

City Manager Rick Crowley reminded the city council of several upcoming community and organization events that the council has been invited to attend. He also pointed out that the

489 History Channel 2 is running a special television program on the underground “Texas rock
490 wall” (for which the city is named) on December 14th at 9:00 p.m.

491 Mr. Crowley updated the council on recent work performed at the SH-66 boat ramp,
492 indicating that the old road bed and associated asphalt has been removed. This work was
493 performed by a local contracting firm and resulted in about 20 loads of material being
494 hauled off and disposed of. The work did come in under the contracted amount, and staff
495 may be speaking further with this contractor regarding some additional work related to
496 dredging.

497 Mayor Sweet adjourned the public meeting at 7:38 p.m.

498
499 **XIII. EXECUTIVE SESSION**

500
501 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**
502 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**
503 **CODE:**

- 504
505 1. Discussion regarding the city's Fixed Based Operator airport agreement
506 pursuant to Section § 551.071 (Consultation with Attorney)
- 507 2. Discussion regarding appointments to city regulatory boards, commissions,
508 and committees including the Rockwall Central Appraisal District and
509 Rockwall Economic Development Corporation (REDC) pursuant to Section
510 §551.074 (personnel matters)
- 511 3. Discussion regarding the following legal claim: TF-Harbor LLC v. City of
512 Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section
513 551.071 (Consultation with Attorney)
- 514 4. Discussion regarding appointment of city council member to a Rockwall
515 Independent School District (RISD) subcommittee pursuant to Section, §
516 551.074 (Personnel Matters).

517 **XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

518
519 **The Council did not reconvene into Executive Session following the close of the public**
520 **meeting. See the start of the 6:00 p.m. public meeting above for action taken as a result of**
521 **the first Executive Session.**

522
523 **XV. ADJOURNMENT**

524
525 **The meeting was adjourned at 7:38 p.m.**

526
527

528 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
529 **TEXAS, this 16th day of December, 2013.**

530
531

532 **ATTEST:**

David Sweet, Mayor

533
534
535 _____
Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: December 4, 2013

SUBJECT: Radio Communication System Maintenance Agreement

The Cities of Rockwall and Heath are partners in the radio communication system used by Rockwall Police, Fire, and Public Works Departments and the Heath Public Safety Department.

The current system has been in use since 2005 beginning with 2 towers located at Fire Station 1 in Rockwall and the Heath water tower. In April 2008, the City Council authorized staff to study the addition of a 3rd site for the system due to substantial development at The Harbor and in areas of the Presbyterian Hospital. The need for additional coverage in these areas was not a deficiency in the original design of the system, but rather a change in circumstances along the shoreline and in the Horizon Road medical corridor. These areas were developed after the original system was designed and constructed and had an unacceptable level of signal strength for in-building coverage. The City Council later funded a third site to address these needs. It is located at Fire Station 2 and has been in operation since April 2011.

At the Council / Staff Retreat in November 2012, the City's consultant, Keith Whitt with Trott Communication Group, gave a report on the status of the City's current system, an ongoing effort to develop a short-term service plan with Harris Corporation, and a plan to develop a long-term transition strategy to the next generation P25 platform.

The City has developed a short-term maintenance plan with Harris Corporation that will maximize the use of the current system. Harris has committed to maintaining the current system through December 2018 assuming necessary parts are available and there are no catastrophic events. As part of this short-term plan, there are a number of parts and components that the City should buy now and inventory due to the growing demand by other entities that own the same system. Some of the parts are manufactured by 3rd party

vendors and are scheduled for end of life. Last year, the City purchased spare parts in the amount of \$15,465.74 from excess bond funds allocated to the 3rd site project. The City Council approved funds in the year's budget to purchase additional spare parts to ensure that we are able to stretch the current system to the end of 2018. These miscellaneous parts are estimated to cost an additional \$38,880.00. The list of parts is attached.

Council is asked to authorize the City Manager to execute the maintenance agreement with Harris Corporation for 2014 in the amount of \$163,178.17 (a small increase of 1.5% based on CPI) to be paid from the Radio System Operating Budget and for spare parts and components in the amount of \$38,880.00 also from the Radio System Operating Budget.



AMENDMENT NO. 4
TO
SYSTEM MAINTENANCE AGREEMENT
BETWEEN
HARRIS CORPORATION, RFCO
AND
CITY OF ROCKWALL, TEXAS

WHEREAS, the parties entered into the above described Agreement on January 1, 2010 and; WHEREAS, the parties now desire to amend said Agreement to incorporate certain changes; NOW THEREFORE, the parties agree to the following changes:

Maintenance Billing Period Effective: From January 1, 2014 To December 31, 2014

Customer Information

Harris Account Number:	<u>27177</u>	Contact Name:	<u>Joey Boyd</u>
Customer Name:	<u>The City of Rockwall, Texas</u>	E-Mail:	<u>JBoyd@rockwall.com</u>
Address:	<u>385 S. Goliad Street</u>	Phone#:	<u>(972) 772-6408</u>
City/State/Zip:	<u>Rockwall, Texas 75087</u>	Fax#:	

Addendum I (System Maintenance Rates), is hereby amended as follows and as shown in Schedule A attached:


- A. **MONTHLY RATES**
 Monthly charges for maintenance: See Schedule A
 Annual charges for maintenance: See Schedule A
- B. **DEMAND SERVICE RATES**
 Hourly Rate (normal business hours): \$95.00 per hour
 Hourly Rate (overtime and holidays): \$125.00 per hour
 Mobile / Portable Radio Programming: \$47.50 per hour
 Portable Battery conditioning: \$9.00 per battery
- C. **DATABASE CORRECTION RATES**
 Hourly Rate: \$ N/A
- D. **INSTALLS**
 Hourly Rate: N/A

Addendum II (Equipment List), is hereby amended as follows:

- A. **FIXED EQUIPMENT:**
 Qty. _____
No Changes
- B. **MOBILE EQUIPMENT:**
 Qty. _____
No Changes

Addendum III (Special Conditions), is hereby amended as follows:
No Changes

Except as hereby amended, said Agreement shall continue in full force and effect. The parties hereto have caused this Amendment to be executed as of the latest date below.

HARRIS CORPORATION RF Communications Division	COMPANY NAME: City of Rockwall, Texas
By: 	By: _____
Name: Robert Wallace	Name: _____
Title: Senior Manager, Field Services	Title: _____
Date: <u>1/22/2013</u>	Date: _____

Return Signed Amendment to Harris Corporation at 221 Jefferson Ridge Parkway; Lynchburg, VA 24501 Attn: Sonya Brown

Schedule A

City of Rockwall - System Maintenance - Backbone and Terminals - Adjusted for 1/1/2014 to 12/31/2014				
Service Description	Start Date	End Date	Invoice Amount	Per Month (Reference Only)
Backbone Equipment Maintenance	1/1/2014	12/31/2014	\$ 70,395.01	\$ 5,866.25
Terminal Equipment Maintenance	1/1/2014	12/31/2014	\$ 55,561.28	\$ 4,630.11
Mobile Command Vehicle (MCV) Maintenance	1/1/2014	12/31/2014	\$ 1,154.93	\$ 96.24
Rowlett EOC Maintenance	1/1/2014	12/31/2014	\$ 475.56	\$ 39.63
Interoperability Equipment Maintenance	1/1/2014	12/31/2014	\$ 5,231.16	\$ 435.93
Third Site of RF Simulcast Equipment NOTE: Excludes Items not installed by Harris.	1/1/2014	12/31/2014	\$ 19,147.43	\$ 1,595.62
Third Site Microwave (Cielo)	1/1/2014	12/31/2014	\$ 10,425.00	\$ 868.75
Add Conv P25 UCALL equipment	1/1/2014	12/31/2014	\$ 787.80	\$ 65.65
Total Invoice Amount			\$ 163,178.17	

Per Request, Rockwall will be invoiced annually in January 2014 for \$163,178.17

CPI-W Calculations for Calendar 2013	
March 2012 Index Value	226.304
October 2013 Index Value	229.735
Index Value Change for 20 months	3.431
Index Value Change %	1.52%
Average % Monthly Change over 20 months	0.08%
Change to Contract Value for Calendar 2014	1.52%

<http://www.ssa.gov>
 The Statistics noted can be viewed at the web-site listed above.
 Note: CPI-W Increase is 1.52% from March 2012 through October 2013 (latest month available)



Robby Houts
 Harris Corporation
 8105 N. Belt Line Rd. Suite 170
 Irving, Texas 75063
 972-550-2350 Office
 972-550-2360 Fax
robert.houts@harris.com

Remit to: Harris Corp. Fax 972-550-2360

December 7, 2012

Rockwall EoL support spares package 2

Quote: Rockwall EoL support spares package 2-120712.xls

Quote for End of Life support spares package 2.

John Vermillion
 Internal Operations / Public Safety
 Communications System Superintendent
 City of Rockwall, TX

Item	Part Number	Description	Quant	Unit Sale	Ext Sale
10	EA101419V4	SitePro Controller Card w/daughter	2	\$ 1,687.50	\$ 3,375.00
20	EA-101169-001	Resync Card (4 ea location x4) (ROA1172263 R2C)	1	\$ 937.50	\$ 937.50
30	ROA1172261	ALC Card	1	\$ 825.00	\$ 825.00
40	CM21874-1675	Assembly,Network Sentry,EDACS 16GB	1	\$ 15,000.00	\$ 15,000.00
50	CM21874-0300	NS Simulcast Cross Connect	1	\$ 1,095.00	\$ 1,095.00
60	ROA1172247/2	Digital Voter RS232	2	\$ 337.50	\$ 675.00
70	ROA1172277	Bypass Board (on back)	1	\$ 937.50	\$ 937.50
80	ROA1172280	Test Unit Buffer Board	1	\$ 480.00	\$ 480.00
90	MASC-NMD6S	SeaLevel SeaLink +16.232 Serial Server 4161-BLK	1	\$ 2,970.00	\$ 2,970.00
100	ROA1172254 R1A	Station Crossconnect Board (1 per site)	1	\$ 2,325.00	\$ 2,325.00
110	EA101685V12	Mastr III TX Synth	1	\$ 1,312.50	\$ 1,312.50
120	EA101401V1	Mastr III RX IF 21.4 MHz NB	1	\$ 952.50	\$ 952.50
130	19D902782G4	Mastr III RX Front End 450-470 MHz	1	\$ 1,012.50	\$ 1,012.50
140	EA101292V1	Mastr III UHF PA	2	\$ 2,760.00	\$ 5,520.00
150	EA101685V2	Mastr III VHF TX Synth - New	1	\$ 787.50	\$ 787.50
160	EA101684V2	Mastr III VHF RX Synth - New	1	\$ 675.00	\$ 675.00
					\$ -
Total					\$ 38,880.00

Company Confidential

Assumptions:

1	Harris Corporation's terms and conditions apply.
2	Quote valid for 60 days.

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 12/16/2013

APPLICANT: Rockwall Golf & Athletic Club

AGENDA ITEM: P2013-040; The Shores Club House

SUMMARY:

Discuss and consider a request by Glenn Engineering Corporation on behalf of James A. Havens for the approval of a replat for Lots 2 & 3, Block H, The Shores Club House Addition, Phase 2 being a 9.455-acre parcel of land currently identified as Lot 1, Block H, The Shores Club House Addition, Phase 2, City of Rockwall, Rockwall County, Texas; zoned Planned Development District 3 (PD-3), addressed as 2600 Champions Drive, and take any action necessary.

COMMENTS:

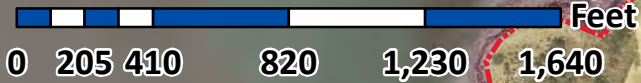
- ✓ The purpose of the applicant's request is to subdivide one (1) commercial parcel into two (2) commercial parcels for the purpose of establishing a private roadway and HOA clubhouse.
- ✓ The Engineer has completed the majority of the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the final plat for Lots 2 & 3, Block H, The Shores Club House Addition, Phase 2 then staff would recommend the following conditions of approval:

- 1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- 2) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



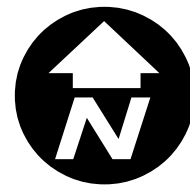
P2013-040 - LTS 2 & 3, BLK H, THE SHORES CLUB HOUSE, PH 2
 FINAL PLAT - LOCATION MAP =

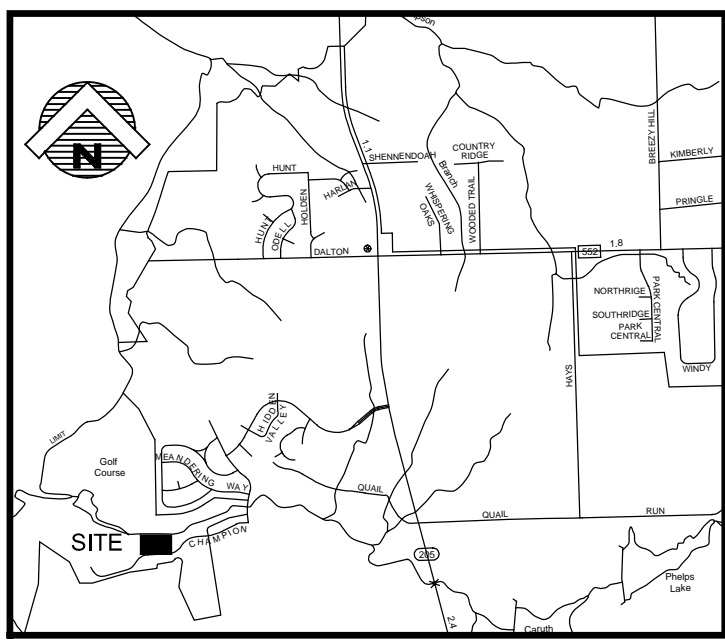


City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

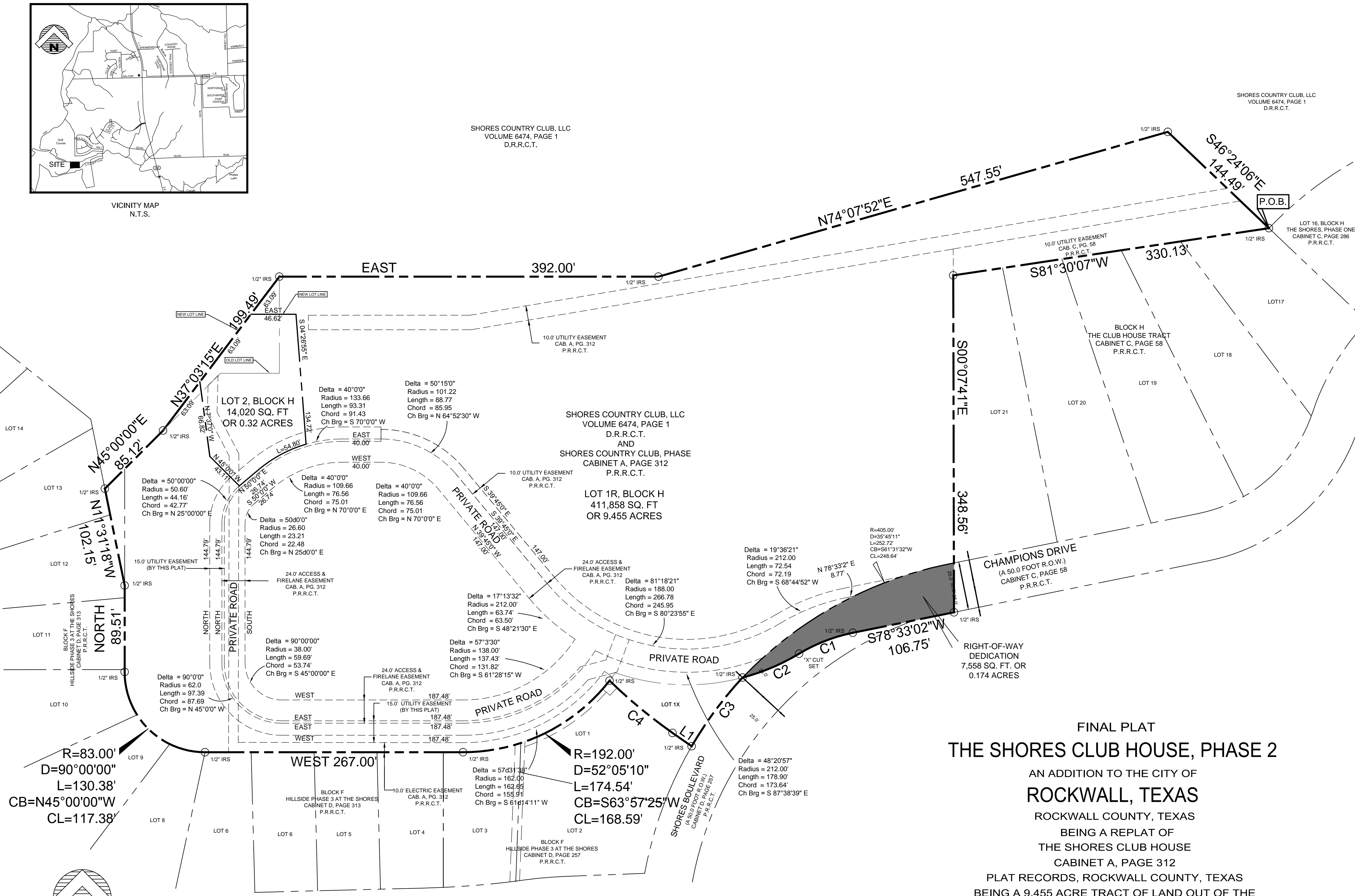




VICINITY MAP
N.T.S.

SHORES COUNTRY CLUB, LLC
VOLUME 6474, PAGE 1
D.R.R.C.T.

SHORES COUNTRY CLUB, LLC
VOLUME 6474, PAGE 1
D.R.R.C.T.



FINAL PLAT
THE SHORES CLUB HOUSE, PHASE 2
AN ADDITION TO THE CITY OF
ROCKWALL, TEXAS
ROCKWALL COUNTY, TEXAS
BEING A REPLAT OF
THE SHORES CLUB HOUSE
CABINET A, PAGE 312
PLAT RECORDS, ROCKWALL COUNTY, TEXAS
BEING A 9.455 ACRE TRACT OF LAND OUT OF THE
NATHAN BUTLER SURVEY, ABSTRACT NO. 21

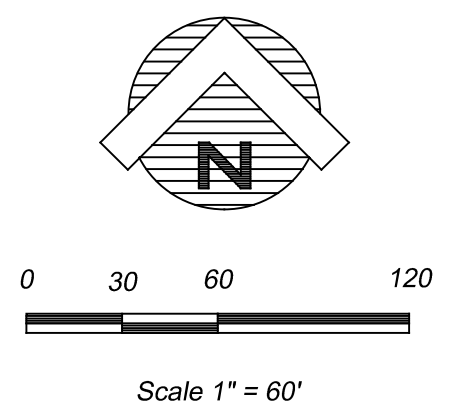
CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CB	CHORD
C1	19°36'21"	175.00'	59.88'	S68°44'51"W	59.59'
C2	16°14'02"	225.00'	63.75'	S67°03'56"W	63.54'
C3	12°31'28"	405.00'	88.53'	S38°30'29"W	88.35'
C4	9°30'51"	510.00'	84.69'	N50°18'01"W	84.59'

LINE TABLE		
LINE	LENGTH	BEARING
LT	24.13	N55°03'28"W

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GLENN ENGINEERING CORP.
105 DECKER COURT, SUITE 910
IRVING, TEXAS 75062
(972) 717-5151 FAX (972) 717-2176
TBPE FIRM NO. F-303
CONTACT: ROBERT A. HOWMAN

SURVEYOR
SURVEY GROUP
400 S. INDUSTRIAL BLVD., SUITE 102
EULESS, TEXAS 76040
(817) 354-1445 FAX (817) 354-1451
CONTACT: WILLIAM P. PRICE, RPLS

OWNER
ROCKWALL GOLF AND
ATHLETIC CLUB
2600 CHAMPIONS DRIVE
ROCKWALL, TEXAS 75062
(972) 771-0000
CONTACT: JAMES HAVEN



OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Rockwall Golf and Athletic Club, LLC is the owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Being a 9.455 acre tract of land situated in the Nathan Butler Survey, Abstract No. 21 in the City of Rockwall, Rockwall County, Texas, being a portion of that certain tract of land conveyed to Shores Country Club, LLC by deed as recorded in Volume 6474, Page 1, Deed Records, Rockwall County, Texas and being a portion of The Shores Club House Phase, Replat, an addition to the City of Rockwall, according to the plat thereof recorded in Cabinet A, Page 312, Plat Records, Rockwall County, Texas;

BEGINNING at a 1/2 inch iron rod found for corner, said point being at the northeast corner of Lot 17, Bloc H, The Club House Tract Addition, Replat, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Page 58, Plat Records, Rockwall County, Texas, same point being the northwest corner of Lot 16, Block H, The Shores Addition, Phase One, and addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet A, Slide 286, Plat Records, Rockwall County, Texas, said point also being the most easterly southeast corner of said 9.455 acre tract of land being described;

THENCE South 81 degrees 30 minutes 07 seconds West, along the common line of said The Club House Tract Addition and said 9.455acre tract of land being described, a distance of 330.13 feet to a 1/2 inch iron rod set for corner, said point being the northwest corner of Lot 21, Block H, The Club House Tract Addition, Replat, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Page 58, Plat Records, Rockwall County, Texas, same point being at an el corner of said 9.455 acre tract of land being described;

THENCE South 00 degrees 07 minutes 41 seconds East, along the common line of said Lot 21, Block H and said 9.455 acre tract of land being described, a distance of 348.56 feet to a 1/2 inch iron rod set for corner, said point being the most southerly southeast corner of said 9.455 acre tract of land being described, same point being in the south line of said Champions Drive (a 50.0 foot right-of-way);

THENCE South 78 degrees 33 minutes 02 seconds West, along the south line of said 9.455 acre tract of land being described, a distance of 106.75 feet to a 1/2 inch iron rod set for corner, said point being the beginning of a curve to the left having a radius of 175.00 feet a delta angle of 19 degrees 36 minutes 21 seconds, and a chord bearing and distance of South 68 degrees 44 minutes 51 seconds West, 59.59 feet;

THENCE in a southwesterly direction along said curve to the left and along said south line of said 9.455 acre tract of land being described, an arc distance of 59.88 feet to an "X" cut set for corner, said point being at the centerline of Shores Boulevard (a 50.0 foot right-of-way), said point being the beginning of a reverse curve to the right having a radius of 225.00 feet, a delta angle of 16 degrees 14 minutes 02 seconds, and a chord bearing and distance of South 67 degrees 03 minutes 56 seconds West, 63.54 feet;

THENCE in a southwesterly direction along said curve to the right, an arc distance of 63.75 feet to a 1/2 inch iron rod set for corner, said point being the northeast corner of Lot 1X, Block F, Hillside Phase 3 at The Shores Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet D, Page 257, Plat Records, Rockwall County, Texas, same point being in the north line of said Shores Boulevard, said point being the beginning of a curve to the left having a radius of 405.00 feet a delta angle of 12 degrees 31 minutes 28 seconds, and a chord bearing and distance of South 36 degrees 30 minutes 29 seconds West, 88.35 feet;

THENCE in a southwesterly direction along said curve to the left and along said north line of said Shores Boulevard, an arc distance of 88.53 feet to 1/2 inch iron rod set for corner, said point being the southwest corner of said Lot 1X, Block H, same point being the most southerly southwest corner of said 9.455 acre tract of land being described, said point being the east corner of Lot 1, Block F, Hillside Phase 3 at The Shores Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet D, Page 257, Plat Records, Rockwall County, Texas;

THENCE North 55 degrees 03 minutes 26 seconds West, departing the north line of said Shores Boulevard and along the common line of said Lot 1 and Lot 1X, Block H, said point being the beginning of a curve to the right having a radius of 510.00 feet a delta angle of 09 degrees 30 minutes 50 seconds, and a chord bearing and distance of North 50 degrees 18 minutes 01 seconds West, 84.59 feet;

THENCE in a northwesterly direction along said curve to the right and continuing along said common line of said Lot 1 and Lot 1X, Block H, an arc distance of 84.68 feet to 1/2 inch iron rod set for corner, said point being the northwest corner of said Lot 1X, Block H and the northeast corner of said Lot 1, Block H, same point being the beginning of a non-tangent curve to the right having a radius of 192.00 feet, a delta angle of 52 degrees 05 minutes 10 seconds, and a chord bearing and distance of South 63 degrees 57 minutes 25 seconds West, 168.59 feet;

THENCE in a southwesterly direction and along said curve to the right and along the common line of said 9.455 acre tract of land being described and said Hillside Phase 3 at The Shores Addition, an arc distance of 174.54 feet to a 1/2 inch iron rod set for corner;

THENCE South 90 degrees 00 minutes 00 seconds West, continuing along the south line of said 9.455 acre tract of land being described, a distance of 267.00 feet to a 1/2 inch iron rod set for corner, said point being in the north line of Lot 7, Block F, Hillside Phase 4 at The Shores Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet D, Page 257, Plat Records, Rockwall County, Texas, same point being the beginning of a curve to the right having a radius of 83.00 feet a delta angle of 90 degrees 00 minutes 00 seconds, and a chord bearing and distance of North 45 degrees 00 minutes 00 seconds West, 117.38 feet;

THENCE in a northwesterly direction and along said curve to the right and continuing along the common line of said 9.455 acre tract of land being described and said Hillside Phase 4 at The Shores Addition, an arc distance of 130.38 feet to a 1/2 inch iron rod set for corner;

THENCE North 00 degrees 00 minutes 00 seconds East, continuing along the common line of said 9.455 acre tract of land being described and said Hillside Phase 4 at The Shores Addition, a distance of 89.51 feet to a 1/2 inch iron rod set for corner;

THENCE North 11 degrees 31 minutes 18 seconds West, continuing along the common line of said 9.455 acre tract of land being described and said Hillside Phase 4 at The Shores Addition, a distance of 102.15 feet to a 1/2 inch iron rod set for corner, said point being the most westerly northwest corner of said The Shores Club House Phase;

THENCE North 45 degrees 00 minutes 00 seconds East, departing the east line of said Hillside Phase 4 at The Shores Addition and along the north line of said The Shores Club House Phase, a distance of 85.12 feet to a 1/2 inch iron rod set for corner;

THENCE North 37 degrees 03 minutes 15 seconds East, a distance of 199.49 feet to a 1/2 inch iron rod set for corner;

THENCE North 90 degrees 00 minutes 00 seconds East, along the north line of said The Shores Club House Phase, a distance of 392.00 feet to a 1/2 inch iron rod set for corner;

THENCE North 74 degrees 07 minutes 52 seconds East, continuing along the north line of said The Shores Club House Phase, a distance of 547.55 feet to a 1/2 inch iron rod set for corner, said point being the northeast corner of said The Shores Club House Phase;

THENCE South 46 degrees 24 minutes 06 seconds East, continuing along the north line of said The Shores Club House Phase, a distance of 144.49 feet to the POINT OF BEGINNING and containing 403,130 square feet or 9.254 acre of computed land

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I (we) Rockwall Golf and Athletic Club, LLC the undersigned owner (s) of the land shown on this plat, and designated herein as the THE SHORES CLUB HOUSE, PHASE 2 ADDITION, REPLAT subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the THE SHORES CLUB HOUSE, PHASE 2 ADDITION, REPLAT subdivision have been notified and signed this plat.

I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

Owner

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, _____.

Notary Public in and for the State of Texas *My Commission Expires:*

Signature of Party with Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of _____.

Notary Public in and for the State of Texas *My Commission Expires:*

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, William P. Price, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

William P. Price
Registered Public Surveyor No.3047

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared William P. Price, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of _____.

Notary Public in and for the State of Texas My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2013.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within on hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, _____.

Mayor, City of Rockwall City Secretary City Engineer

NOTES:

- P.R.R.C.T. - PLAT RECORDS ROCKWALL COUNTY TEXAS
- D.R.R.C.T. - DEED RECORDS ROCKWALL COUNTY TEXAS
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCING
- 1. IRF - Iron Rod Found
- 2. IRFC - Iron Rod Found Capped
- 3. IRS - Iron Rod Set
- 4. C.M. - Controlling Monument
- 6. Basis of Bearing - The Basis of Bearing of this survey is N 90°00'00" East, as shown hereon, based on the north line of The Shores Club House Phase, an addition to the City of Rockwall, according to the plat thereof recorded in Cabinet A, Page 312, Plat Records, Rockwall County, Texas.

FINAL PLAT
THE SHORES CLUB HOUSE, PHASE 2
 AN ADDITION TO THE CITY OF
ROCKWALL, TEXAS
 ROCKWALL COUNTY, TEXAS
 BEING A REPLAT OF
 THE SHORES CLUB HOUSE
 CABINET A, PAGE 312
 PLAT RECORDS, ROCKWALL COUNTY, TEXAS
 BEING A 9.455 ACRE TRACT OF LAND OUT OF THE
NATHAN BUTLER SURVEY, ABSTRACT NO. 21

ENGINEER
 GLENN ENGINEERING CORP.
 105 DECKER COURT, SUITE 910
 IRVING, TEXAS 75062
 (972) 717-5151 FAX (972) 717-2176
 TBPE FIRM NO. F-303
 CONTACT: ROBERT A. HOWMAN

SURVEYOR
 SURVEY GROUP
 400 S. INDUSTRIAL BLVD., SUITE 102
 EULESS, TEXAS 76040
 (817) 354-1445 FAX (817) 354-1451
 CONTACT: WILLIAM P. PRICE, RPLS

OWNER
 ROCKWALL GOLF AND
 ATHLETIC CLUB
 2600 CHAMPIONS DRIVE
 ROCKWALL, TEXAS 75062
 (972) 771-0000
 CONTACT: JAMES HAVEN

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: December 10, 2013

SUBJECT: New Phone System Purchase

The current Nortel 9150 phone system and equipment the City uses is at end of life. The current phone system was purchased in 2002. There will be difficulty in locating Nortel 9150 equipment in the near future should we have critical failures of key components. Attached is a sales agreement for purchase of a new Shoretel phone system that will serve all City facilities.

The City purchased a Shoretel voicemail upgrade two years ago with the idea that the entire phone / voicemail migration would be a two phase project. Upgrading the phone system is the 2nd phase of the technology upgrade. The existing voicemail and the new phone system will be maintained by the same vendor. The major benefits of the Shoretel system are: each site works independently, users can manage voice routing, voicemail, auto-attendant, conferencing, instant messaging, and basic functions in the system. The purchase of the new system will provide all new switches and new phones for each user. The system is being purchased from Affiliated Communications using pricing established on the State's Buy Board Purchasing Cooperative program.

The City Council authorized funding for this technology upgrade in the Internal Operations Operating Budget this year. The Council is asked to authorize the City Manager to execute a purchase agreement with Affiliated Communications, Inc. in the amount of \$156,982.00 and to proceed with purchase and installation.



SALES AGREEMENT

This Sales Agreement ("Agreement") dated **November 27, 2013** between **Affiliated Communications, Inc., ("ACI")** and **City of Rockwall ("CUSTOMER")** specifies the terms and conditions under which ACI will provide CUSTOMER with equipment and services.

1. **EQUIPMENT**

ACI agrees to sell, deliver, and install, and CUSTOMER agrees to purchase the telephone equipment outlined in Annex I, (the "EQUIPMENT") attached hereto and incorporated herein.

2. **PAYMENT TERMS**

System Sales Price is **\$156,982.00** plus applicable tax.

The total purchase price will be payable by CUSTOMER and is outlined in Annex II, attached hereto and incorporated herein.

3. **TITLE**

ACI shall retain title to the EQUIPMENT until the CUSTOMER has paid the full amount of the purchase price. In the event CUSTOMER shall default in prompt payment of any installment on account, ACI shall have the right, in addition to and not exclusive of any other rights it may have under the Uniform Commercial Code, to enter upon the premises where the EQUIPMENT is located and retake possession thereof without notice, free from any claims of CUSTOMER.

4. **WARRANTY**

ACI warrants the EQUIPMENT sold hereunder as follows:

ACI warrants that the EQUIPMENT will be free from defects for a period of one (1) year from the date of cut-over. ACI further warrants the installation labor for a period of one (1) year from date of cut-over. ACI's obligation hereunder shall be limited to the repair or, at its option, replacement of the equipment containing such defects, where such equipment has been subject to normal use

and service and is returned or otherwise made available to ACI within the said one (1) year period except as stated herein. Standard manufacturer warranty applies as related to firmware, software, and workmanship. Customer Provided Equipment is not covered under warranty.

ACI HAS NOT AND DOES NOT MAKE ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE, OR OTHERWISE WITH RESPECT TO THE EQUIPMENT. ACI FURTHER DISCLAIMS ANY LIABILITY FOR SPECIAL OR CONSEQUENTIAL DAMAGES OF ANY KIND ARISING OUT OF OR CONNECTED WITH THE USE OF THE EQUIPMENT BY CUSTOMER.

5. **INSTALLATION**

The EQUIPMENT shall be installed at:

Police Department (Primary Site)
City Hall
Senior Center/Parks & Rec
Service Center
Fire Station 1
Fire Station 2
Fire Station 3
Fire Station 4
Police Crime Prevention
Animal Adoption Center

(the PREMISES”)

The proposed cut-over date shall be on **February 14, 2014**. ACI shall utilize its best efforts to complete installation by the cut-over date, but shall not be liable for any damages resulting from delays or other failure to perform under this AGREEMENT due to acts of God or any other cause beyond its control.

6. **CUSTOMER RESPONSIBILITIES**

CUSTOMER agrees to permit ACI such access to the PREMISES as ACI may require for installation of the EQUIPMENT. CUSTOMER will provide adequate space for the EQUIPMENT and insure that light and an adequate A/C power source for the same is available before installation. CUSTOMER has been advised by ACI that an air-conditioned environment is necessary for the proper functioning of the EQUIPMENT and CUSTOMER agrees to provide such air-conditioning if necessary. Furthermore CUSTOMER agrees to make every effort

to work with ACI to complete the individual requirements of the EQUIPMENT, necessary to complete the installation.

7. **SERVICE LEVELS**

INITIAL RESPONSE TIMES:

Critical:	2 hours	24x7
Major:	8 hours	Monday-Friday, 8am-5pm, holidays excluded
Minor:	24 hours	Monday-Friday, 8am-5pm, holidays excluded

Initial response times are defined as the time it takes an ACI technician to remotely access the affected system to begin problem resolution. The majority of problems are routinely corrected remotely. When the problem cannot be resolved remotely, an ACI technician will be dispatched to site. All response times are maximums and are routinely less than those listed above. Response times for major and minor incidents are calculated only during business hours.

Critical (outages) *	Major (service affecting)	Minor (non-service affecting)
25% or more of system down	Phones – less than 25% of total	Programming misspells
25% or more of trunks down	Trunks – less than 25% of total	Customer defined change
Attendant console down	Other service affecting	Some phone related issues
Voice mail system down		

8. **RISK**

The risk of loss for any damage to or destruction of the EQUIPMENT or any portion thereof occurring from and after delivery thereof to the PREMISES shall be the responsibility of the CUSTOMER. CUSTOMER agrees to provide an area on the PREMISES for safekeeping of the EQUIPMENT prior to and during the installation by ACI.

9. **TAXES**

CUSTOMER shall pay all sales, use, excise or other taxes payable or required to be collected by ACI which are levied or based upon the sale of the EQUIPMENT herein, and will indemnify ACI against any such taxes.

10. **CHANGES**

Changes, additions or modifications with respect to the EQUIPMENT herein shall be mutually agreed to in writing by the parties and this AGREEMENT shall be deemed amended to that extent. In the event of any such changes, the purchase price herein shall be adjusted accordingly. Notwithstanding anything to the contrary, deletions made to the EQUIPMENT shall not exceed 8% of the total

purchase price as specified in section Two (2) herein, or CUSTOMER will be subject to pay a charge for restocking equal to 20% of the list price of that portion of the Equipment that has been deleted or returned.

11. **ENTIRE AGREEMENT**

This AGREEMENT shall be subject to and governed by the laws of the State of Texas and constitutes the Entire AGREEMENT between the parties hereto. It shall not be changed or modified except in writing executed by other parties pursuant to Section 9 herein. ACI has made no representations or warranties extending beyond those set forth herein.

CUSTOMER: _____ AFFILIATED COMMUNICATIONS, INC.
BY: _____ BY: _____
TITLE: _____ TITLE: _____
DATE: _____ DATE: _____

Annex I

QTY	Description
10	Kit, rack mounting tray, for ShoreGear Switch 1U half width, holds two 1U half width switches
1	ShoreGear 220T1 - 1U half width, Max Capacities - 1 T1, 220 IP phones, 0 analog exts, 0 LS trunks, 0 universal ports. When digital trunk capacity is reached, IP phone capacity is still 100. Requires one Tray (SKU 10223) for every two units.
1	ShoreGear 24A - 1U full width, Max Capacities - 24 Analog extensions. No IP Phone or trunk support. (requires ShoreTel 8 or later)
3	ShoreGear 90 - 1U half width, Max Capacities - 90 IP phones, 4 Analog exts, 8 LS trunks, 0 Universal ports. Not all maximum capacities can be reached at the same time. Requires one Tray (SKU 10223) for every two units.
7	ShoreGear 30 - 1U half width, Max Capacities - 30 IP phones, 2 Analog exts, 2 LS trunks, 0 Universal ports. Not all maximum capacities can be reached at the same time. Requires one Tray (SKU 10223) for every two units. (requires ShoreTel 8 or later)
20	ShoreTel IP Phone IP485g - Requires ST 14 or later
172	ShorePhone IP230 - Black (6.1 or later)
10	ShorePhone IP115 - Black (7.5 or later)
20	ShoreTel IP Phone IP485g - Requires ST 14 or later
1	ShoreTel 13.3 Software (General Release)
222	Extension-only License (requires ShoreTel 5.2 or higher)
9	Additional Site License
180	Professional Access License
20	Personal Access License
2	Operator Access License
20	Workgroup Agent Access License
3	Workgroup Supervisor Access License
1	SA-100 appliance required to host Conferencing and Instant Messaging. Requires ShoreTel 12 or later.
1	10 Concurrent Web Conferencing Ports. Requires ShoreTel 12 or later.
1	10 Concurrent Audio Conferencing Ports. Requires ShoreTel 12 or later.
11	Blocks, Brackets, Tails, ETC
6	24-port PoE Midspan,802.3AF,AC 10/100/1000 Base T,400W

Annex II
PAYMENT SCHEDULE

STRAIGHT PURCHASE OPTION:

50% DUE UPON EXECUTION OF SALES AGREEMENT

50% DUE UPON INSTALLATION OF TELEPHONE SYSTEM

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manger

FROM: Timothy M. Tumulty, Director of Public Works/ City Engineer

DATE: December 12, 2013

SUBJECT: Lakes Regional Mental Health and Mental Retardation Center
Facilities Agreement

The Lakes Regional Mental Health and Mental Retardation (MHMR) Center is currently constructing a new facility at 1525 Airport Road. In order to serve this facility with sanitary sewer service, an off-site sanitary sewer line was constructed by the developer along Airport Road and Industrial Boulevard at their expense. This line was constructed with additional carrying capacity to allow adjacent developments to utilize whenever they develop their property.

The Lakes Regional MHMR Center development has requested that a Facilities Agreement be submitted and approved by the City Council for reimbursement whenever the developments connect to this off-site sanitary sewer line. This agreement is good for 10 years. Should there not be any development connecting to this line within 10 years, the agreement will expire.

Staff requests City Council consideration to approve the Facilities Agreement with Lakes Regional Mental Health and Mental Retardation Center for the reimbursement of the sanitary sewer pro-rata as development connects to the off-site sanitary sewer line.

TMT:em

Attachments

Cc:

Mary Smith, Assistant City Manager
File

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

FACILITY AGREEMENT

This Agreement is entered into on the 16th day of December, 2013, by and between the **City of Rockwall, Texas** (“City”) and **Lakes Regional Mental Health and Mental Retardation Center**, (“Developer”).

WITNESSETH:

Section 1. That in consideration of the construction of an off-site 12-inch sanitary sewer line to serve the property at 1525 Airport Road (Development) and property between Development and property on the west side of Industrial Boulevard up to the UP/Dallas Garland NE Railroad located in Rockwall, Texas, the parties agree as follows:

Developer agrees to the following:

- a. Construct the 12-inch gravity line along Airport Road starting at 1525 Airport Road then west to the intersection fo Airport Road and Industrial Boulevard, then south adjacent to the west Right-of-Way line of Industrial Boulevard to the existing sanitary sewer manhole in the UP/Dallas Garland NE Railroad. The line is designed for the flow from the adjacent property and will be sized to serve the westerly property as well.
- b. Fund the initial construction.

Section 2. The City agrees to the following:

- a. Collect pro-rata from future developments (west and south of the Development), prior to start of construction, that connect to the 12-inch sanitary sewer gravity line. The amount collected will be equal to the cost of the sanitary sewer line adjacent to the property connecting to the sewer line. The amount to be collected for the pro-rata will be \$105.18 per linear feet of the sewer along Airport Road and Industrial Boulevard, adjacent to property.
- b. The pro-rata collected will be distributed to the Developer within 30 days of collection.

Section 3. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

Section 4. Severability Clause. If any section or provisions of this Ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 5. Venue for this agreement shall be in Rockwall County, Texas.

Section 6. Notice of this Agreement shall be in writing and addressed to the following:

City of Rockwall
385 S. Goliad
Rockwall, Texas 75087
Attn: City Manager

Lakes Regional MHMR Center
400 Airport Road
Terrell, Texas 75160
Attn: Don Smith

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: _____
Rick Crowley
City Manager

DEVELOPER

By: _____
Don Smith
Lakes Regional MHMR Center

ACKNOWLEDGEMENTS

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Don Smith, the _____ of the Lakes Regional Mental Health Mental Retardation Center, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2013.

Notary Public in and for the State of Texas

My Commission Expires:

(seal)

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Rick Crowley, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2013.

Notary Public in and for the State of Texas

My Commission Expires:

(seal)

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor & City Council Members

FROM: Kristy Ashberry, City Secretary / Assistant to the City Manager

DATE: December 13, 2013

SUBJECT: Appointment item – Rockwall Chamber

Dana Macalik with the Rockwall Area Chamber of Commerce has requested an appointment item with the city council on Mon., December 16th to provide a verbal report on the boat show event held at The Harbor back in September.

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CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: City Council

FROM: Ryan Miller, *Senior Planner*

DATE: December 16, 2013

SUBJECT: Request to Withdraw Case No. Z2013-031

At the December 10, 2013 Planning & Zoning Commission Meeting the Planning & Zoning Commission recommended denial of the applicant's request for a Specific Use Permit (SUP) for a Mini-Warehouse Facility on the subject property. On December 11, 2013 Dallas Cothrum of Master Plan on behalf of the applicant, Shawn Vault, submitted an email (attached in *Exhibit 'A'*) to staff requesting that Case No. Z2013-031 be withdrawn. The case has been advertised and will need to be indicated on the agenda; however, a public hearing is not required nor is the City Council required to take action on this item at the December 16, 2013 meeting.

Exhibit 'A': Request to Withdraw Case No. Z2013-031

Miller, Ryan

From: Dallas Cothrum <dallas@masterplanconsultants.com>
Sent: Wednesday, December 11, 2013 9:58 PM
To: Miller, Ryan
Cc: Shawn Valk; thomasjgalli@gmail.com
Subject: No appeal to City Council

Dear Mr. Miller,

I appreciate your assistance on Case Z2013-31. Likewise, I want to thank the City Planning and Zoning Commission took in the public hearing process. It was refreshing to have appointed officials so engaged in the process that they encouraged a lively debate.

While we still believe that our use has significant demand in the market and would be less impactful than many allowed uses, we recognize the citizens that live near the site have a different vision. As such, we believe that our time would be better spent looking for an alternate site within the City of Rockwall. We do not plan to appeal the case to the City Council and would ask that the item be deleted from the agenda.

My client is committed to providing a high quality self-storage development within the city as soon as possible. I believe that you can expect another application forthwith.

Again, we want to thank everyone for their involvement, including the neighbors. One of the very reasons that my client is interested in a location in the city is because the citizens are passionate about their city. I would ask that you please pass along that we are not appealing to council to the neighbors. (I have attempted to email Col. Galli, but I'm unsure as to the reliability of this address.) I am hopeful they will be pleased to have their Monday night back during the holiday season.

As always, it is a pleasure to work with you. I appreciate your professionalism and prompt responses.

Please do not hesitate to contact me should you have questions.

Happy Holidays,

Dallas

Dallas Cothrum, Ph. D.
Chief Executive Officer



Masterplan

www.masterplanconsultants.com

Founders Square
900 Jackson Street, Suite 640
Dallas, Texas 75202
Phone: (214) 761-9197
Mobile: (214) 728-0669
Fax: (214) 748-7114

CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 12/16/2013

APPLICANT: Shawn Valk

AGENDA ITEM: Z2013-031; Self Storage (SUP)

SUMMARY:

Hold a public hearing to discuss and consider a request by Shawn Valk on behalf of LGI Properties for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 5.94-acre tract of land, zoned Commercial (C) District and located within the Scenic Overlay (SOV) District, being a portion of a 9.699-acre tract land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas; located at the southwestern corner of the intersection of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary.

PURPOSE OF REQUEST:

According to the *Permissible Use Charts* located in Article 4, *Permissible Uses*, of the Unified Development Code (UDC) a mini-warehouse facility requires a Specific Use Permit (SUP) within a Commercial (C) District. In conformance with this requirement the applicant, Shawn Valk, submitted an application on October 18, 2013 requesting an SUP on a 5.94-acre portion of a larger 9.699-acre tract of vacant land zoned Commercial (C) District. The subject property is located at the southwestern corner of the intersection of Ridge Road [FM-740] and Turtle Cove Boulevard, and is situated within the Scenic Overlay (SOV) District.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is 100-feet of railroad right-of-way owned by the Union Pacific Railroad. Adjacent to the northern line of the railroad right-of-way is the Turtle Cove Subdivision, Phase III, which contains 99 single family residential lots on 21.104-acres. The property is zoned Planned Development District 2 (PD-2) for single family residential uses. Beyond this is the city-limit line followed by the Lake Ray Hubbard Take-Line.

South: Directly south of the subject property is Ridge Road [FM-740] followed by the Ridge Road Town Center, which is a commercial/retail shopping center situated on a 7.68-acre parcel of land zoned Commercial (C) District.

East: Directly east of the subject property is Turtle Cove Boulevard followed by a 1.158-acre parcel of land containing two (2) office buildings and zoned Commercial (C) District.

West: Directly west of the subject property is the ~3.75-acre remainder of the larger 9.699-acre tract of land containing the subject property. This property is currently vacant

and is zoned Commercial (C) District. Beyond this vacant tract of land is a medical office building on a 2.427-acre parcel of land zoned Commercial (C) District.

CHARACTERISTICS OF REQUEST:

The applicant has submitted a conceptual site plan and building elevations detailing the anticipated layout of the proposed mini-warehouse facility. The proposed facility will consist of ten (10) buildings with a capacity of 625 units and be situated on ~ 2/3 of the 5.94-acre subject property. The remainder of the subject property (~1.943-acres) will contain a detention area that will be separated from the proposed facility by a 30-foot roadway intended to connect Turtle Cove Drive to La Jolla Pointe Drive, which is located to the southeast. This roadway, while not being required, will be constructed at the expense of the developer and per the requirements of the SUP ordinance (*and with the cooperation of the applicant*) will be dedicated as a public right-of-way at the time of final plat. The applicant has offered to add this as a condition of approval (*see attached letter*). The proposed roadway would effectively provide an additional point of access to the Turtle Cove Subdivision and adjacent office buildings, which currently only have unprotected access (*i.e. does not have a traffic signal*) onto Ridge Road. The applicant has stated that the purpose of the detention area and roadway being situated towards the rear of the subject property is to reduce the visibility of the mini-warehouse facility from the residential properties located to the north. Currently, the residential properties are separated from the subject property by a 100-foot railroad right-of-way, which has dense vegetation along both sides of the railroad tracks that impair visibility from the residential properties to the subject property (*a picture of this right-of-way has been provided as in Exhibit in the attached packet*).

Section 2.1.10 of Article IV, *Permissible Uses*, of the UDC details the specific land use requirements for a *Mini-Warehouse Facility*. The following is a summary of the applicant’s proposal and its compliance to these requirements:

<i>Code Requirement</i>	<i>Proposed Plan</i>	<i>Compliance</i>
The maximum site area shall not exceed five (5) acres.	5.94-Acres ¹	<i>Not In Compliance</i>
The maximum number of storage units shall not exceed 125 units per acre.	A maximum of 625 units is permitted by the SUP Ordinance (<i>i.e. less than 125 units per acre</i>).	<i>In Conformance</i>
The maximum height shall not exceed one (1) story.	All the storage buildings will be one (1) story in height with the exception of one (1) building which is depicted as being two (2) stories in height ² .	<i>Not In Compliance</i>
The minimum number of parking spaces required is two (2). Parking requirement is three (3) spaces plus one (1) per 100 units.	Nine (9) Parking Spaces	<i>In Conformance</i>
No direct access from FM740, SH205, SH66, SH276, FM3097, FM552, FM549 or John King Boulevard.	Direct access from Turtle Cove Boulevard only.	<i>In Conformance</i>
Overhead doors shall not face adjacent streets.	The buildings shall all face inward and will not have doors visible from Ridge Road or Turtle Cove Boulevard.	<i>In Conformance</i>
All exterior walls facing the front, side and rear property lines shall be 100% brick construction.	All exterior walls will incorporate brick and stone ³ .	<i>In Conformance</i>
The front, side and rear building setback areas shall incorporate clustered landscaping.	<i>Will be handled at the time of the site plan submittal on the Landscaping Plan.</i>	<i>Landscaping Plan (Site Plan)</i>
Gates shall be incorporated limiting access to the facility.	Wrought iron gates are being proposed.	<i>In Conformance</i>

Screening fences shall be wrought iron or masonry.	Landscape screening and wrought Iron fencing shall be shown on the site plan.	<i>In Conformance</i>
Concrete shall be used for all paving.	All future paving will be concrete.	<i>In Conformance</i>
Roof shall have a minimum roof pitch of 1:3 and be constructed with metal standing seam.	<i>Will be handled at the time of site plan submittal on the Building Elevations (the Concept Building Elevations appear to conform to this requirement).</i>	<i>Building Elevations (Site Plan)</i>
Lighting standards shall be limited to a maximum of 20-feet in height.	<i>Will be handled at the time of site plan submittal on the Photometric Plan.</i>	<i>Photometric Plan (Site Plan)</i>
A single residential unit not exceeding 1,600 SF in size is permitted.	Single Residential Unit (1,200 SF)	<i>In Conformance</i>

Notes:

- ¹: Total site area is 5.94-acres; however, the applicant has agreed to cap the total number of units at 625 units, which is the maximum permissible number of units permitted on a five (5) acre site. Additionally, the development itself will be situated on less than five (5) acres of land, with the detention area being separated from the main property by the proposed roadway.
- ²: The Scenic Overlay (SOV) District requires buildings exceeding 36-feet in height to request a Specific Use Permit. The applicant has stated that the building will not exceed 36-feet in height and that a Specific Use Permit for height will not be necessary. Additionally, the applicant has stated that the purpose of this exception request is due to the finished floor of the proposed development being ten (10) feet lower than Ridge Road.
- ³: The Scenic Overlay (SOV) District requires a minimum of 20% natural or quarried stone on all building façades. The building elevations submitted by the applicant show a stone wainscot at the base of all the buildings and appear to generally conform to this requirement.

With the exception of the lot size and building height the applicant’s request is in conformance with all other applicable requirements stipulated for the *Mini-Warehouse Facility* land use required by Article IV, *Permissible Uses*, of the UDC. In addition to these requirements the subject property is also located within the Scenic Overlay (SOV) District, which carries specific architectural and landscaping guidelines (e.g. *masonry, street trees, etc.*). Any building being constructed on this property will be required to meet these requisites in order to ensure consistency and compatibility with the adjacent existing commercial properties. Additionally at the time of site plan review the Architectural Review Board (ARB) will provide recommendations to the Planning & Zoning Commission concerning the proposed building elevations and there compatibility with adjacent development.

In order to insure that the plan submitted by the applicant for the Specific Use Permit will conform to the future site plan submittal, staff has incorporated both the conceptual site plan and building elevations into the SUP ordinance, as well as, the operational conditions listed in the *Recommendations* section below.

NOTIFICATION:

On November 1, 2013, staff mailed out 21 notices to property owners within 200-feet of the subject property. Additionally, staff posted signs along Ridge Road [FM-740], which is the major street frontage adjacent to the subject property, as required by the UDC. At the time this case memo was drafted staff had received six (6) property owner notifications within the 200-foot buffer area. All six (6) of the property owner notifications received by staff were opposed to the request.

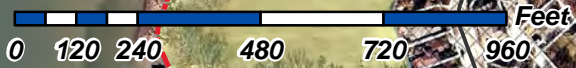
RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant’s request for a Specific Use Permit (SUP) for a *Mini-Warehouse Facility* on the subject property then staff would recommend the following conditions of approval:

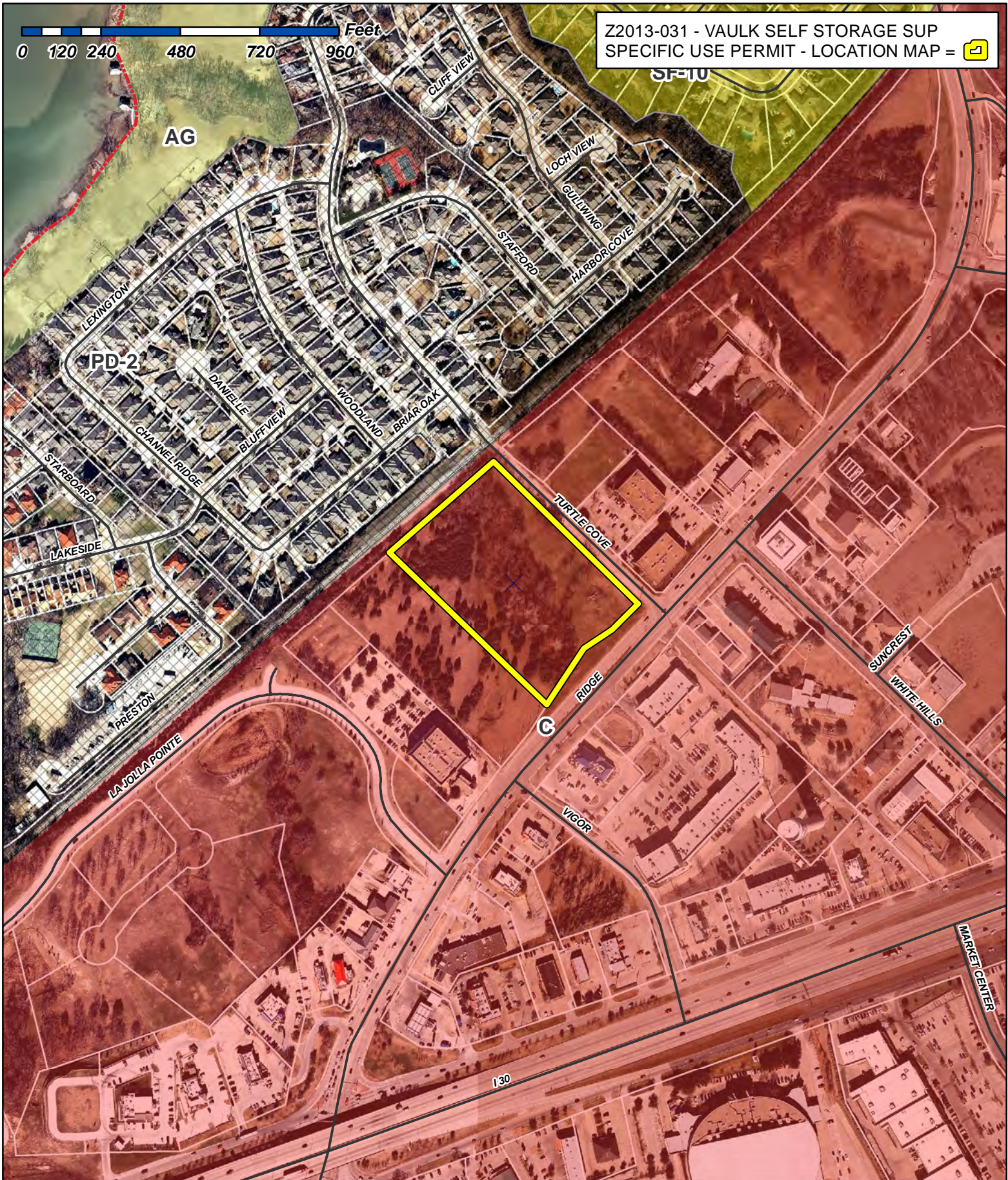
- 1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the approved SUP ordinance and summarized as follows:
 - a) All construction and operations on this property shall generally conform to the Concept Plan depicted in Exhibit 'B' of the SUP ordinance.
 - b) Prior to the issuance of a building permit a site plan conforming to the requirements stipulated by the Unified Development Code shall be submitted and approved by the Planning & Zoning Commission, and if necessary City Council.
 - c) The building elevations submitted with the site plan shall be subject to review and recommendation by the Architectural Review Board (ARB).
 - d) The building elevations submitted with the site plan shall strictly adhere to the Concept Building Elevations depicted in Exhibit 'C' of the SUP ordinance, unless required to be modified to conform to the requirements of the Scenic Overlay (SOV) District and/or meet the recommendations of the Architectural Review Board (ARB), Planning & Zoning Commission, and/or City Council.
 - e) The maximum number of storage units provided shall not exceed 625 units for this facility.
 - f) All fences shall be wrought iron or similar, and when necessary incorporate landscaping/living screening to screen the interior of the facility. Chain-link fencing shall be prohibited.
 - g) No outside storage of any kind shall be permitted on this site. This includes the outside storage of boats, recreational vehicles, and motor or self-propelled vehicles.
 - h) Businesses shall not be allowed to operate within individual storage units.
 - i) The commercial operation of rental trucks and trailers shall be prohibited.
 - j) The proposed 30-foot roadway connecting Turtle Cove Boulevard and La Jolla Pointe Drive shall be constructed by the developer in unison with the construction of the Mini-Warehouse Facility. The right-of-way for this roadway shall be dedicated to the City at the time of final plat.
- 2) In conformance with the requirements of Section 2.2 of Article XI, *Zoning-Related Applications*, of the UDC the applicant shall be required to submit a site plan prior to the issuance of a building permit;
- 3) Unless specifically addressed within this case memo the site plan, landscape plan, building elevations and photometric plan shall comply with the land use requirements for the *Mini-Warehouse* land use stipulated by Section 2.1.10, *Wholesale, Distribution and Storage*, of Article IV, *Permissible Uses*, of the UDC.
- 4) The City Council reserves the right to review this SUP request [Case No. Z2013-031] one (1) year after the approval and adoption of the SUP ordinance; and
- 5) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On December 10, 2013 the Planning & Zoning Commission recommended denial of the applicant's request for a Specific Use Permit for a Mini-Warehouse Facility by a vote of 6-0, with Commissioner McCutcheon absent. According to Section 8.4 of Article II, Authority and Administrative Procedures, of the Unified Development Code a recommendation for denial by the Planning & Zoning Commission shall require a favorable vote of three-fourths by all eligible members of the City Council.



Z2013-031 - VAULK SELF STORAGE SUP
 SPECIFIC USE PERMIT - LOCATION MAP =



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75087
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user. 70



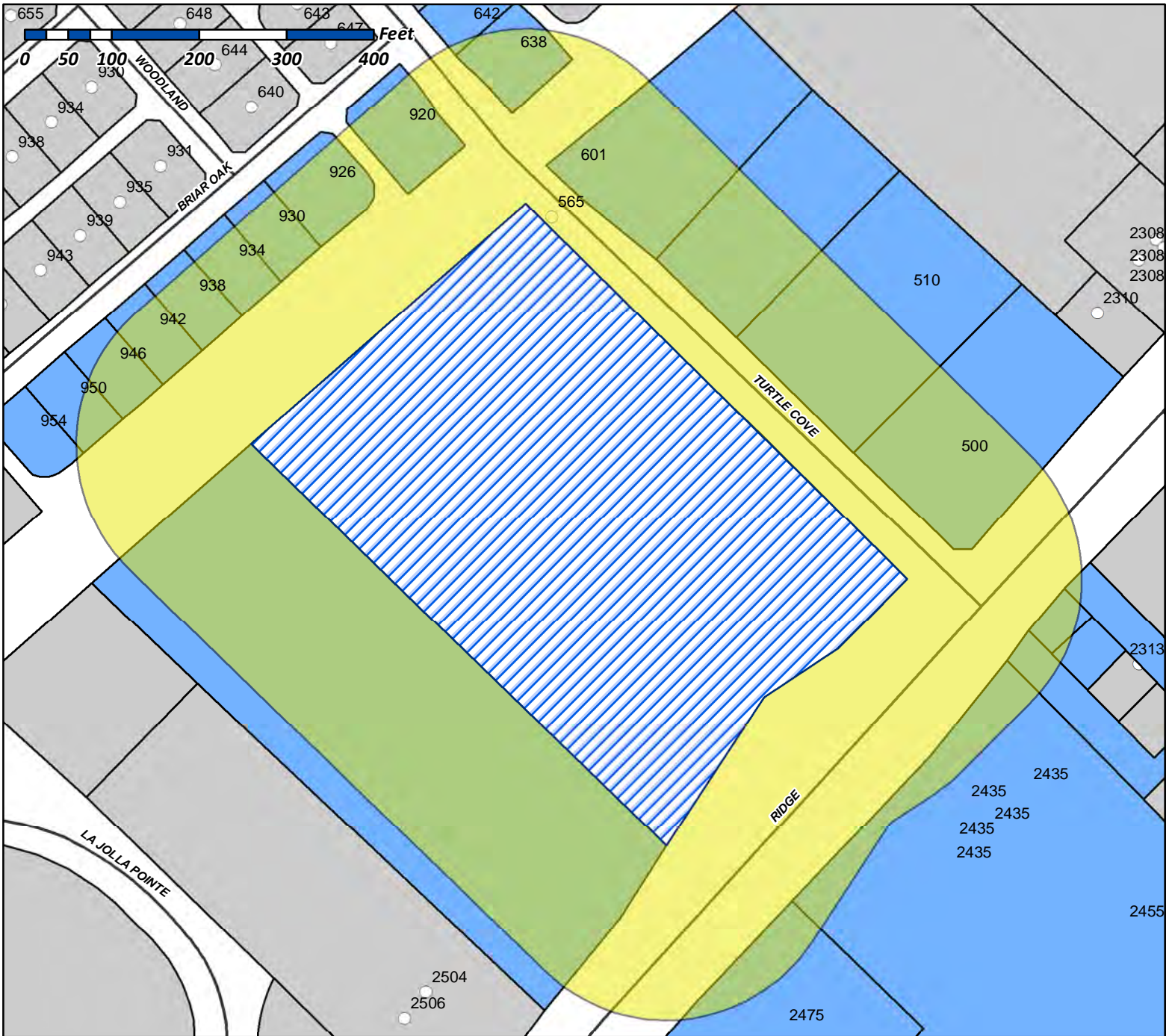
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City of Rockwall

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Case Number: Z2013-031
Case Name: Self Storage SUP
Case Type: Specific Use Permit
Zoning: C
Case Location: Northwestern corner of the intersection of Ridge Road and Turtle Cove Blvd.

Date Created: 04/22/2013
 For Questions on this Case Call (972) 771-7745



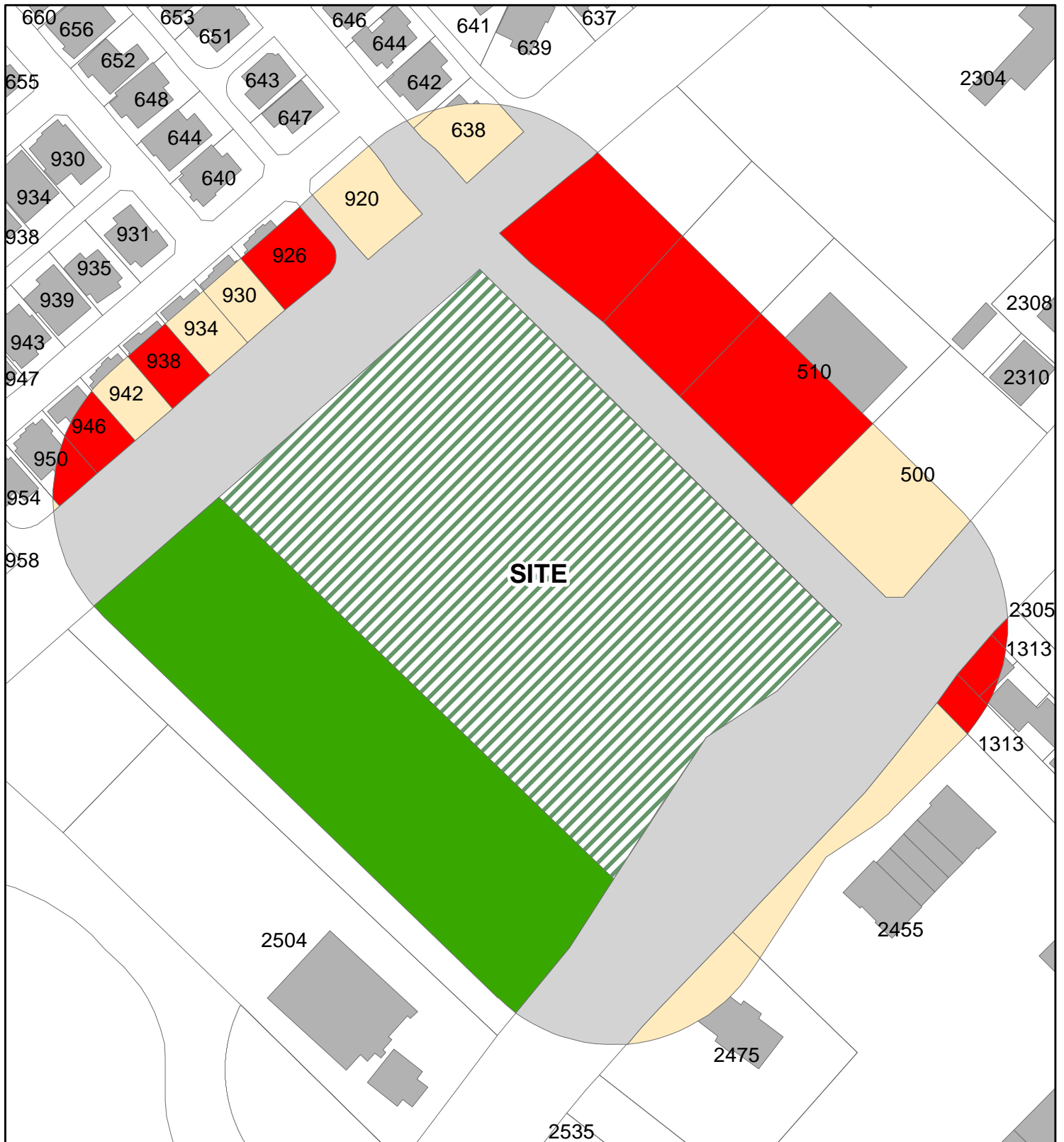
Owner's Name	Legal Description	Owner Address	Address 2	City	State	Zip
HUDSPETH WARD	A0064 E P G CHISUM, TRACT 10-01, ACRES 0.494, (PT OF 2.681 AC TR)	2304 RIDGE RD		ROCKWALL	TX	75087
MUNIZ SYLVIA D	TURTLE COVE PH 3, BLOCK B, LOT 7	954 BRIAR OAK DR		ROCKWALL	TX	75087
SANDERS JOE D & JOLINDA	TURTLE COVE PH 3, BLOCK B, LOT 8	950 BRIAR OAK DR		ROCKWALL	TX	75087
KIRK JEFFREY S	TURTLE COVE PH 3, BLOCK B, LOT 9	946 BRIAR OAK DR		ROCKWALL	TX	75087
PRICE BRIAN & SHANNON	TURTLE COVE PH 3, BLOCK B, LOT 10	942 BRIAR OAKS DRIVE		ROCKWALL	TX	75087
KULBANSKI JOHN	TURTLE COVE PH 3, BLOCK B, LOT 11	938 BRIAR OAK DR		ROCKWALL	TX	75087
SMITH RICHARD G EBERLE	TURTLE COVE, BLOCK A, LOT 2, (REPLAT-2)	642 TURTLE COVE BLVD		ROCKWALL	TX	75087
BOWMAN SCOTT & TAMARA L	TURTLE COVE, BLOCK A, LOT 1, (REPLAT-2)	638 TURTLE COVE BOULEVARD		ROCKWALL	TX	75087
LGI PROPERTIES LTD	A0064 E P G CHISUM, TRACT 15, ACRES 9.699	PO BOX 2169		ROCKWALL	TX	75087
PSB INDEMNITY FAMILY LTD PTRN	ROCKWALL EXECUTIVE CENTER ADDN, BLOCK A, LOT 3, ACRES .7907, (REPLAT-93) (FKA R10596)	510 TURTLE COVE BLVD	STE 200	ROCKWALL	TX	75087
FUNDARO LEO B JR & JANET L LIV TR	TURTLE COVE PH 3, BLOCK B, LOT 12	12713 ARROWHEAD DRIVE		OKLAHOMA CITY	OK	73120
HAIL DAVID L & SHERRI B	TURTLE COVE PH 3, BLOCK B, LOT 13	930 BRIAR OAK DR		ROCKWALL	TX	75087
MONTGOMERY VALERIE	TURTLE COVE PH 3, BLOCK B, LOT 14	926 BRIAR OAK DR		ROCKWALL	TX	75087
CONFIDENTIAL	TURTLE COVE PH 3, BLOCK B, LOT 15	920 BRIAR OAK DR		ROCKWALL	TX	75087
PSB INDEMNITY FAMILY LTD PTRN	ROCKWALL EXECUTIVE CENTER ADDN, BLOCK A, LOT 2, ACRES 1.158, (REPLAT-93) (FKA 21507)	510 TURTLE COVE BLVD	STE 200	ROCKWALL	TX	75087
GLOBAL ADVANCE INC	H P MAIS, BLOCK 1, LOT 1-C, ACRES .075	PO BOX 742077		DALLAS	TX	75374
LITTLEPAGE ENTERPRISES LLC	ROCKWALL TOWNE CENTRE PH 4, BLOCK A, LOT 1, ACRES 1.20	1240 WATER ST		PRAIRIE DU SAC	WI	53578
ROCKWALL OCEANHILL LLC	ROCKWALL TOWNE CENTRE PH 4, BLOCK A, LOT 9, ACRES 7.68, (REPLAT 2005) & (REPLAT 2007)	2411 SANTA CLARA AVE	STE 27	ALAMEDA	CA	94501
GLOBAL ADVANCE INC	H P MAIS, BLOCK 1, LOT 1-A, ACRES .069	PO BOX 742077		DALLAS	TX	75374
DAIKER PARTNERS LTD	ROCKWALL EXECUTIVE CENTER ADDN, BLOCK A, LOT 1, ACRES 1.049, (REPLAT-93) (FKA R34034)	PO BOX 277		ROCKWALL	TX	75087
GLOBAL ADVANCE INC	H P MAIS, BLOCK 1, LOT PT 1, ACRES .458, INGRESS/EGRESS EASEMENT	PO BOX 742077		DALLAS	TX	75374

Legend

Ag 16.84%
 For 25.12%

NR 13.88%
 ROW 44.16%

SUBJECT PROPERTY
 200ft BUFFER



Z2013-031
 For and Against Map



The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

I am opposed to the request for the reasons listed below.

- ① Not highest & Best use of Property
- ② Diminish Values of Neighbors
- ③ Detract from Appearance
- ④ MAY BRING IN WRONG ELEMENT (METH-LABS)

Name: WARD HUDSPETH

Address: 2304 Ridge Rd., 75087

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

NOT WITHIN THE NOTIFICATION AREA

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

I am opposed to the request for the reasons listed below.

- ① To close to residences
- ② Flooding because concrete
- ③ Traffic 24 hours
- ④ Inset in our residences
- ⑤ Fire hazard
- ⑥ Lighting above warehouses
- ⑦ No control on warehouses
- ⑧ Our property will drop in value

Name: Joe + Jolinda Sanders

Address: 950 Briar Oaks Dr. Rockwall, TX 75087

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

I am opposed to the request for the reasons listed below.

1. Rockwall Unified Dev. Code, Sec. 6 Overlay Districts, Sec. 6.8 (SOV)
2. Will be filing a complaint with the Tx. Commission on Environmental Quality - many concerns with drainage & flood control
3. Increased traffic 4. Noise 5. Lights 6. Law & Order concerns

Name: Jeff & Christy Kirk

Address: 946 Briar Oaks Dr., Rockwall, TX. 75087

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

Crime hazards
Traffic increase
Potential for flooding
Destruction of woods

Decline of property value
HAZMAT dangers

Name: John Kulbanski

Address: 938 Briar Oak Dr. Rockwall 75087

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

INCONSISTENT USE WITH SURROUNDING BUSINESSES.
WILL NOT ADD TO OUR PROPERTY VALUES
WILL ADD TRUCK TRAFFIC VOLUME IN TOWN
WASTE OF PRIME ROCKWALL PROPERTY, VIEW OF LAKE, TREES, ETC.

Name: GLOBAL ADVANCE

Address: 2313 RIDGE ROAD STE 101, ROCKWALL TX 75087

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

I am opposed to the request for the reasons listed below.

I don't believe this type of real estate belongs in this area of Ridge Rd. I believe it should be located in an area of mixed industrial business. I believe it will lower Turtle Cove subdivision property values.

Name: Valerie Montgomery

Address: 926 Briar Oak Rockwall

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748



NOTICE OF PUBLIC HEARING

CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

Phone: (972) 771-7745
Email: Planning@Rockwall.com

TEXAS SPECIALTY UNDERWRITERS

NOV - 4 2013

RECEIVED ROCKWALL

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2013-031: Self Storage SUP

Hold a public hearing to discuss and consider a request by Shawn Valk on behalf of LGI Properties for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 5.94-acre tract of land, zoned Commercial (C) District and located within the Scenic Overlay (SOV) District, being a portion of a 9.699-acre tract land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas; located at the southwestern corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/12/2013 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/18/2013 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **11/18/2013** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: [HTTP://WWW.ROCKWALL.COM/PLANNING/ZONINGCHANGES.A5P](http://www.rockwall.com/planning/zoningchanges.a5p)

PLEASE RETURN THE BELOW FORM

Case No. Z2013-031: Self Storage SUP

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

I am strongly opposed to the storage building facility that is proposed for the northwestern corner of the intersection of Ridge Road & Turtle Cove Blvd., This would devalue office buildings and homes in the immediate area. This would also create additional security hazards for these offices and homes; thus additional expenses for the business owners and homeowners to protect their properties

Name: PSB Indemnity Family LTD PTRN

Address: 510 Turtle Cove Blvd., Suite 200, Rockwall, TX 75087

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

NOT THE OWNER OF THE PROPERTY

Miller, Ryan

From: Sanford, JoDee on behalf of Planning
Sent: Thursday, November 07, 2013 1:30 PM
To: Miller, Ryan
Subject: FW: Case No. Z2013-031:Self Storage SUP

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | <http://www.rockwall.com>

From: Paul Davis [<mailto:> _____]
Sent: Thursday, November 07, 2013 10:49 AM
To: Planning
Subject: Case No. Z2013-031:Self Storage SUP

I am strongly opposed to the storage building facility that is proposed for the northwestern corner of the intersection of Ridge Road & Turtle Cove Blvd.

This would devalue office buildings and homes in the immediate area. This would also create additional security hazards for these offices and homes; thus additional expenses for the business owners and homeowners to protect their properties.

Paul Davis CIW
President
Texas Specialty Underwriters, Inc.
510 Turtle Cove, Suite 200
Rockwall, TX 75087
(972) 771-5653

NOT WITHIN 200-FOOT NOTIFICATION AREA

Miller, Ryan

From: Sanford, JoDee on behalf of Planning
Sent: Wednesday, November 20, 2013 7:37 AM
To: Miller, Ryan
Subject: FW: Case No z2013-031: Self Storage SUP

Please see below. You may already have this email, but I wanted to make sure.

Thanks.

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | <http://www.rockwall.com>

From: Eberle Smith [<mailto:>] 1
Sent: Monday, November 18, 2013 4:23 PM
To: Planning
Subject: Case No z2013-031: Self Storage SUP

I live in the Turtle Cove subdivision. I oppose the request for re-zoning the land parcel located at the corner of Ridge Road and Turtle Cove Blvd to build a Self Storage facility for the following reasons:

- 1) no egress from Ridge Road will increase the traffic congestion that already exists on Turtle Cove Blvd and entry onto Ridge Road
- 2) there is no oversight from any municipal, state, or federal authority on what materials are being stored in such a facility; who will monitor compliance?
- 3) storage units can and have been excellent sites for meth making operations
- 4) the facility is so close to my home, the 24/7 lighting and structure visibility from my front porch and yard will diminish the value of my property

We respectfully request the planning and zoning department to reject the developer's request for re-zoning. Approving the re-zoning would negatively impact the quality of life for home owners who live nearby.

Eberle Smith
642 Turtle Cove Blvd
Rockwall, TX 75087

NOT WITHIN 200-FOOT NOTIFICATION AREA

Miller, Ryan

From: Sanford, JoDee on behalf of Planning
Sent: Monday, December 09, 2013 10:19 AM
To: Miller, Ryan
Subject: FW: Re-zone of Ridge Road to Mini-Warehouse for discussion Tuesday, Dec 10th

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | <http://www.rockwall.com>

From: Pyke, Jane [mailto:]
Sent: Sunday, December 08, 2013 4:18 PM
To: Planning
Subject: Re-zone of Ridge Road to Mini-Warehouse for discussion Tuesday, Dec 10th

PLEASE FORWARD TO PLANNING/ZONING MEMBERS AS I CANNOT FIND THEIR EMAILS:

Dear Planning and Zoning Commissioners:

I am writing to you to express my hope that you will **not approve** the request to rezone the land at Ridge Road and Turtle Cove Blvd to become a mini-warehouse facility. You will hear from many Turtle Cove residents at the zoning commission meeting on Tuesday night. There are many reasons not to approve this rezoning.

Planning & Zoning Commission's Mission Statement:

To coordinate and improve the physical development of the City while ensuring the safety and welfare of the community through a combination of quality development review and long range planning that will promote orderly development and compatible uses of land.

A mini-warehouse at this location seems to be in direct opposition of your mission statement.

1. **“Improve”** – The zoning change does not improve our quality of living. This is a facility that is better placed in a light industrial area. It will deteriorate the lake views and decrease the value of homes in Turtle Cove subdivision, therefore, reducing tax dollars for the city. Would a development like this “improve” your neighborhood?
2. **“Safety and Welfare”** –
 - a. Crime - A mini-warehouse is the type of development that invites crime and will certainly bring it to the residents of Turtle Cove. Any google search on crime at mini-warehouses brings a plethora of activity. As a member of the County Grand Jury, I am very familiar with the types of crime in the city and county and have no doubt that this will bring an added crime dimension.
 - b. Traffic - **Any** additional traffic on Turtle Cove will bring new accidents and possibly serious injuries. Both entering and exiting Turtle Cove Blvd is already a challenge. If a car is on Turtle Cove Blvd waiting to turn and another vehicle is waiting to turn left across Ridge Road onto

Turtle Cove, you can't see behind the car waiting on Turtle Cove. If there is a gate for a mini-warehouse just down Turtle Cove, we may not be able to see those waiting vehicles. Last week, I was exiting Turtle Cove behind a Rooms-To-Go delivery truck, which is the same size as most UHaul vans which are prime candidates to enter and exit for a mini-warehouse. The truck almost got hit. If I had been eager and driven up next to the truck to make a right turn while he was making a left, I most certainly would have been hit. What is this going to be like on a Saturday when we have busy neighborhood traffic coming out of Turtle Cove Subdivision and it is the mini-warehouse's busiest time? The owner of the mini-warehouses told members of our neighborhood that a road would be cut in front of the railroad tracks out on to Laguna Drive. While admittedly that would help, have you tried to get out of Laguna Drive on the weekend when there is very heavy traffic at I-30 and Ridge Road? Neither are a good option.

- c. Flooding - Turtle Cove is at the bottom of the hill from a major creek. Again, the owner of the mini-warehouse tried to appease our concerns that concrete would not be poured over the top of the creek. The warehouse would be built "around" it. So, who is going to maintain this and ensure that it is kept free from debris and properly flowing? I am not an engineer, but I cannot imagine that 600,000 square feet of concrete is going to help the water flow properly. Turtle Cove will become a flood area. Again, this will decrease the value of our homes not to mention safety, damage, and increased insurance.
3. **"Quality Development"** – We live in a really nice area. This can't possibly be considered "quality" in Rockwall. My husband and I moved to Rockwall because of the leadership of this city. The Planning and Zoning Commission Members are a big part of that leadership! We were so impressed when we looked around that the leaders cared about quality and appropriateness of land use. It is a high class city, but a mini-warehouse in this location will make it just another Garland. Sorry Garland.....
4. **"Compatible Uses of Land"** – Some residents worry about what this property could become if it is not a mini-warehouse. If it were used at the top of the hill for a medical office, or even retail shop, I would not be opposed to that. I would be certain that our city leaders would ensure that it was a quality development. It is not unusual for an office or retail development to be near single family homes. It is VERY unusual to have mini-warehouses.

Thank you for taking the time to read my email. I appreciate your consideration and hope that you will take your mission statement to heart and DO NOT approve this zoning change. Thank you very much.

Jane Pyke
956 Bluffview Drive
Turtle Cove Subdivision



Jane Pyke, PHR
Human Resources Officer
Human Resources
214-922-5563

Federal Reserve Bank of Dallas
2200 N. Pearl Street, Dallas, Texas 75201
www.dallasfed.org



Michael Conway, CPA
Nell Conway, CPA

Toll Free (800) 594-7951
Metro (903) 450-1200

CONWAY COMPANY CPAs PC
ACCOUNTANTS & ADVISORS

www.conwaycpas.com

PO Box 8234
Greenville, Texas 75404-8234

Member
American Institute of CPAs
Texas Society of CPAs

December 10, 2013

City of Rockwall
Planning and Zoning

NOT WITHIN 200-FOOT NOTIFICATION AREA

Re: Proposed Self Storage Facility at Ridge Road & Turtle Cove

The purpose of this letter is to oppose the approval of a special use permit/zoning change being requested for the Southwest corner of Ridge Road and Turtle Cove Boulevard so that a Self Storage facility can be constructed on that property.

I am both a resident of Turtle Cove subdivision and an owner of a CPA firm with our Rockwall office being located at 603 S Goliad. Of course, I have a strong interest in the very good zoning history in Rockwall being maintained on the Ridge Road and Goliad corridors. Both these arteries are extremely important to North Rockwall.

Self Storage facilities are typically sheet metal construction buildings mounted on concrete pads. They are almost never seen in this close proximity to quality retail and office space and so close to the entrance of middle class residential neighborhoods. It is clearly industrial type construction which should be restricted to areas zoned for light industry.

Particularly, the request to locate a Self Storage facility on this corner is well below the quality of other new development along Ridge Road. Office space, restaurants and other retail businesses populate the area. The location of this facility cannot fail to have a negative impact on the office buildings on the same side and retail space across Ridge Road.

The worst impact of allowing this facility to be constructed on the proposed site would be on the residents of Turtle Cove subdivision. Self Storage facilities are inherently unattractive. Anyone driving Southwest on Ridge Road will look down into the middle of the facility. Anyone driving into the Turtle Cove subdivision will drive by the back wall of a long sheet metal structure. The attractiveness of the area and housing values in Turtle Cove would both take an immediate and permanent hit.

I urge the planning and zoning board to disapprove this application.

Thank you for your attention to this matter.

Sincerely,

Michael Conway

1021 Park Street
Commerce, Texas 75428
Office (903) 886-2123
Fax (903) 886-6580

8910 Wesley Street
Greenville, Texas 75402
Office (903) 455-9898
Fax (903) 454-3181

603 South Goliad Street
Rockwall, Texas 75087
Office (972) 771-1065
Fax (972) 771-1022



December 10, 2013

Ryan Miller
Department of Development Services
City of Rockwall
385 Goliad
Rockwall, Texas

Dear Mr. Miller,

My company Lang Partners is in the process of constructing a residential development in the City of Dallas. The site is located on Northwest Plaza Drive near the intersections of Northwest Highway and Hillcrest. We are constructing 178 units on the site that is directly across from Park Cities Storage.

Our company is investing \$41 million on this project and we would not have done so if we believed that the self-storage use posed any type of risk. Preston Hollow is among the nicer areas in the region and our residents will be highly selective. In many ways, I believe that access to self-storage will be a benefit. The site is quiet, safe, and secure. Also, there are very few trips in a day to the site.

I have every confidence and can say that self-storage is a reasonable use in a residential area.

Please do not hesitate to contact me should you have questions.

Cordially,

A handwritten signature in blue ink, appearing to read 'Dirk Oudt', written over a faint rectangular stamp.

Dirk Oudt
Lang Partners

214.628.7822
390 E. Oakenwald St. Suite 271
Dallas, Texas 75203



RETC

REAL ESTATE TAX CONSULTANTS

Ryan Miller
Department of Development Services
City of Rockwall

Dear Mr. Miller,

I had intended to attend the hearing, but I am sick and do not want to get out in this weather. I wanted to speak in support of the development proposed by Mr. Valk. I also want the Planning and Zoning Commission to understand that I have no financial stake in his request before them. I simply want to provide information that demonstrates that a self storage use is compatible with residential development.

I own a property in Carrollton on property on Highway 121. Mr. Valk has plans to develop a self storage facility adjacent to my site and I am delighted. I am making a \$25 million investment on a senior housing facility. I believe that Mr. Valk's use is excellent. It will be a low traffic generator, quiet, and has a good appearance.

A community cannot have all single family residential. Someone has to increase the local tax base and I believe this is a reasonable proposition. Too often communities pass on good projects for unfounded reasons. Unfortunately, these tracts do not get developed at all.

I would be happy to discuss this matter with you.

Sincerely,

Amish Gupta

REAL ESTATE TAX CONSULTANTS
3345 Silverstone Dr. #A
Plano, TX 75023
Tel: 972.596.5005
Email: amish.gupta@retcgroup.com
www.retcgroup.com

www.retcgroup.com

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3345 Silverstone Drive #A | Plano, TX | 75023 | 888.596.5005 | 1972.596.0490 | info@retcgroup.com



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400 S. Houston Street, Suite 330
Dallas, TX 75202
214.748.6740 ♦ Fax: 214.748.7037
deshazogroup.com

Technical Memorandum

To: Dallas Cothrum, Ph.D. — Masterplan
From: Steve E. Stoner, P.E., PTOE — DeShazo Group, Inc.
Date: December 10, 2013
Re: Trip Generation Review of Mini-Warehouse Use in Rockwall, Texas
DeShazo Project No. 13205 City of Rockwall, Z2013-031

The proposed self-storage (a.k.a., mini-warehouse) facility is a land use with a very low, practically negligible, traffic impact. Attached is a summary of the projected daily trip generation total for the proposed 625-unit development in Rockwall, Texas based upon the Institute of Transportation Engineers *Trip Generation* manual, 8th Edition. In addition, the summary contains the daily projected trip generation for two alternative use scenarios (i.e., office and shopping center) that could be developed under existing zoning – which, illustrate preceding statement.

Self-storage facilities typically serve both commercial and residential customers and are commonly located in transitional areas between these districts. Due to the low volume of traffic generated, this use is very compatible with residential areas with regard to traffic impact.

END OF MEMO

Z2013-031: Self-Storage (SUP)

Rockwall, TX

Daily Trip Generation Comparison

Based Upon ITE Trip Generation manual, 8th Edition

Proposed Use	ITE Land Use (Code)	Quantity	Daily Trip Ends Generated
"Self Storage"	"Mini-Warehouse" (151)	625 Storage Units	147

Uses Currently Allowed	ITE Land Use (Code)	Quantity	Daily Trip Ends Generated
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Scenario A

Office	"General Office" (710)	55,000 SF	842
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Scenario B

Shopping Center	"Shopping Center" (820)	42,000 SF	4,203
Fast Food Restaurant	"Fast Food Restaurant with Drive-Thru" (934)	3,000 SF	1,488
	Subtotal:	45,000 SF	5,691

PICTURES

All pictures are taken from Turtle Cove Boulevard facing southwest in front of the entry to the Turtle Cove Subdivision. The subject property is on the left hand side and the residential properties are on the right hand side.





October 18, 2013

Mr. Robert LaCroix
City of Rockwall
385 South Goliad Street
Rockwall, Texas 75087

RE: Proposed Neighborhood Self Storage
S/W Corner of Turtle Cove & Ridge Road

Dear Mr. LaCroix,

Please accept this as our intent to file a zoning request for an SUP for one lot to be divided into two at the S/W Corner of Turtle Cove & Ridge Road in Rockwall, TX.

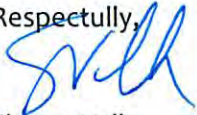
The subject property is on the West side of Ridge Road and South of Turtle Cove. The lot lies within the Chisum Survey Tract 15 and consists of 9.699 Acres of vacant land with an existing base zoning of C-1 and falls within the Scenic Overlay District. The property is currently unplatted.

The zoning request is to approve and SUP which allows the construction and operation of a neighborhood self storage facility. This use would be the only designated use through this SUP besides those uses allowed by right without an SUP under the current base zoning.

The proposed neighborhood self storage will have an exceptionally high standard of design and construction. The proposed use will utilize existing trees where able to continue to maintain a good buffer from existing homeowners to the West across the railroad tracks as well as the adjacent office buildings to the North and South. We feel this is a very compatible use here as it will be a good buffer for existing properties and will only generate 15-17 trips per day and will have a very low traffic impact to the area as well as a very low or non existent impact to city services.

We ask you accept this request for consideration on the October 29, 2013 Planning & Zoning work session and meetings thereafter.

Respectfully,



Shawn Valk

Cc: Rod Smith

December 2, 2013

RE: SP2013-031: Self Storage SUP

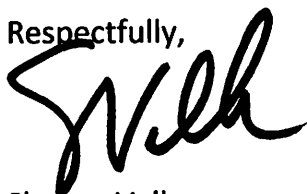
Mr. Miller,

Regarding the above referenced SUP request, we will be needing a variance on the maximum acreage allowed for self storage exceeding the 5 acre limit. Even though we are asking for the variance to exceed this limitation we will NOT be exceeding the maximum allowable number of units based on the 5 acres or 625 units. The excess acreage is due in part to the detention required which is what is creating the need for the extra acreage.

We are also seeking a variance on the maximum number of stories. We are seeking a variance to have one, two story building. This building will appear from Ridge road as a single story building due to the fact the first finished floor will be some ten feet below the curb of Ridge Road.

Thank you for your help and understanding with these requests.

Respectfully,

A handwritten signature in black ink, appearing to read 'S Valk', written in a cursive style.

Shawn Valk

Miller, Ryan

From: Shawn Valk <>
Sent: Thursday, December 05, 2013 4:28 PM
To: Miller, Ryan
Subject: Re: Legal Description

Ryan

I got caught in traffic due to weather.

The builders intend to develop the roadway connecting Turtle Cove with La Jolla at the sole cost to the developer. The road will be built to city standards.

Thanks
Shawn Valk

Shawn Valk

469-222-1597. Cell
568-718-0451. Fax

On Dec 2, 2013, at 11:39 AM, "Miller, Ryan" <RMiller@rockwall.com> wrote:

Shawn,

I will also need a legal description of the property that corresponds with the zoning exhibits. I will need this prior to taking the ordinance to the City Council. Please let me know if you have any questions.

<image002.jpg>**RYAN C. MILLER**

SENIOR PLANNER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

[HELPFUL LINKS](#) | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)
[GIS DIVISION WEBSITE](#) | [CITY OF ROCKWALL INTERACTIVE MAPS](#) | [MAIN STREET DIVISION](#)

This email contains the thoughts and opinions of the sender and does not reflect official City of Rockwall policies.

Other than the intended recipient, any confidential information contained in this email is prohibited from disclosure or use.

Miller, Ryan

From: Shawn Valk < >
Sent: Thursday, December 05, 2013 4:33 PM
To: Miller, Ryan
Subject: Turtle Cove Submittal

Ryan,

The developer plans on making the entrance off of turtle cove one way in and one way out.

The developer also intends on making the exit a one way out only on the proposed public road the developer intends on building to connect turtle Cove to La Jolla. The one-way exit onto the proposed roadway will be designed and built where it's a forced left turn onto the newly proposed roadway thus taking any of it all clientele out to La Jolla with nobody exiting this property onto turtle Cove.

The hours of the facility will be 9 AM to 6 PM Monday through Friday 9 AM to 5 PM on Saturday and 12 PM to 5 PM on Sunday. The property will be accessible to the clientele at entry from 6 AM to 9 PM after 9 PM nobody will be on the premises whatsoever.

We are asking to make these conditions the part of the SU P that we are asking for.

Shawn Valk

469-222-1597. Cell
568-718-0451. Fax

CHICAGO TITLE INSURANCE COMPANY

LEGAL DESCRIPTION

GF Number: F131939R

Legal description of the land:

EXHIBIT "A"

DESCRIPTION

All that certain lot, tract or parcel of land situated in the E.P.G. CHISUM SURVEY, ABSTRACT NO. 64, City of Rockwall, Rockwall County, Texas, and being all of a tract of land as described in a Warranty deed from James W. Reese to LGI Properties, LTD, dated July 1, 2003 and being recorded in Volume 3075, Page 146 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a TXDOT brass disk monument found for corner at the intersection of the southwest right-of-way line of Turtle Cove Drive, a 60 foot right-of-way, with the northwest right-of-way line of Ridge Road F.M. 740, a variable width right-of-way per Volume 1582, Page 317 of the Real Property Records of Rockwall County, Texas, and being at the east corner of the above cited tract of land;

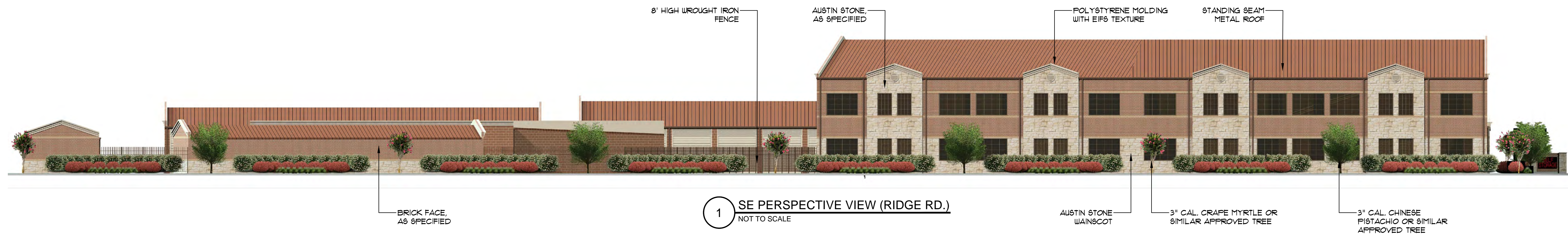
THENCE in a southwesterly direction along the northwest right-of-way line of Ridge Road F.M. 740 as follows:

S. 45 deg. 59 min. 50 sec. W. a distance of 113.22 feet to a TXDOT brass disk monument found for corner;
S. 57 deg. 34 min. 20 sec. W. a distance of 103.07 feet to a TXDOT brass disk monument found for corner;
S. 35 deg. 01 min. 32 sec. W. a distance of 101.12 feet to a TXDOT brass disk monument found for corner;
S. 33 deg. 32 min. 12 sec. W. a distance of 204.12 feet to a TXDOT brass disk monument found for corner;
S. 40 deg. 08 min. 27 sec. W. a distance of 136.97 feet to a TXDOT brass disk monument found for corner at the south corner of said Reese to LGI Properties tract and being in the northeast boundary line of Lot 1, Block A, LAKE POINT HEATH AND SCIENCE CENTER ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet C, Slide 216 of the Plat Records of Rockwall County, Texas;

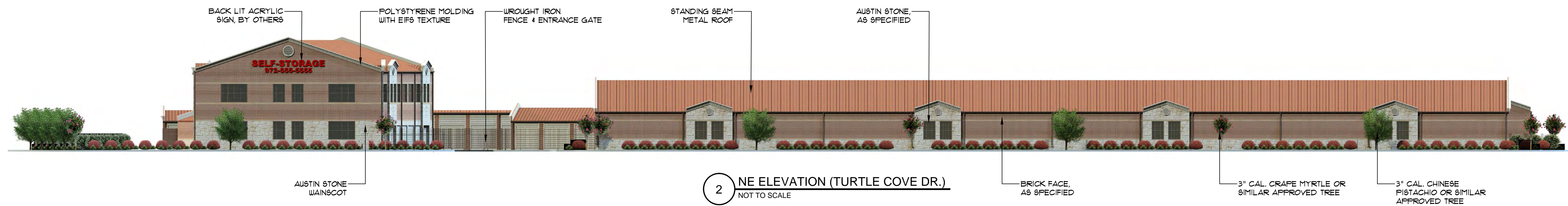
THENCE N. 45 deg. 31 min. 12 sec. W. a distance of 711.59 feet to a 3/8" iron rod found for corner at the west corner of said Reese to LGI Properties tract and being in the southeast right-of-way line of the Union Pacific Railroad, a 100 foot right-of-way;

THENCE N. 49 deg. 42 min. 29 sec. E. along said railroad right-of-way, a distance of 658.84 feet to a 1/2" iron rod found for corner in the southwest right-of-way line of Turtle Cove Drive;

THENCE S. 44 deg. 58 min. 41 sec. E. along said right-of-way line, a distance of 612.21 feet to the POINT OF BEGINNING and containing 422,730 square feet or 9.70 acres of land.



1 SE PERSPECTIVE VIEW (RIDGE RD.)
NOT TO SCALE



2 NE ELEVATION (TURTLE COVE DR.)
NOT TO SCALE



3 NW ELEVATION (SHARED ACCESS)
NOT TO SCALE

PRELIMINARY - NOT FOR CONSTRUCTION

REVISION	NO.

PROPOSED NEW FACILITY FOR:
PLATINUM SELF-STORAGE
RIDGE RD. & TURTLE COVE DR.
ROCKWALL, TEXAS

4700 KEMBLE ST.
FORT WORTH, TX 76103
PH: 817-538-6579
FAX: 817-538-6565
WWW.JLBSYSTEMS.COM



CONCEPTUAL ELEVATIONS	
Date	12-05-2013
Scale	As Noted
Drawn	JLL
Job	13037
Sheet	

A1

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) TO ALLOW A MINI-WAREHOUSE FACILITY WITHIN A COMMERCIAL (C) DISTRICT AS SPECIFIED WITHIN ARTICLE IV, PERMISSIBLE USES, OF THE UNIFIED DEVELOPMENT CODE, FOR A 5.94-ACRE TRACT OF LAND, BEING A PORTION OF A 9.699-ACRE TRACT OF LAND IDENTIFIED AS TRACT 15 OF THE E. P. G. CHISUM SURVEY, ABSTRACT NO. 64, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Shawn Valk, on behalf of LGI Properties, for the approval of a Specific Use Permit (SUP) to allow a mini mini-warehouse facility on a 5.94-acre tract of land, zoned Commercial (C) District and located within the Scenic Overlay (SOV) District, being a portion of a larger 9.699-acre tract land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, which is located at the southwestern corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and more specifically described in Exhibit 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the construction of a mini-warehouse facility within a Commercial (C) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code on the *Subject Property*, and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) Ordinance and set forth in Section 2.1.10, *Wholesale, Distribution and Storage*, of Article IV, *Permissible Uses*, of the Unified Development Code

[Ordinance No. 04-38] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a mini-warehouse facility on the *Subject Property*, and conformance to these operational conditions are required for continued operations:

- 1) All construction and operations on this property shall generally conform to the Concept Plan depicted in Exhibit 'B' of this ordinance.
- 2) Prior to the issuance of a building permit a site plan conforming to the requirements stipulated by the Unified Development Code shall be submitted and approved by the Planning & Zoning Commission, and if necessary City Council.
- 3) The building elevations submitted with the site plan shall be subject to review and recommendation by the Architectural Review Board (ARB).
- 4) The building elevations submitted with the site plan shall strictly adhere to the Concept Building Elevations depicted in Exhibit 'C' of this ordinance, unless required to be modified to conform to the requirements of the Scenic Overlay (SOV) District and/or meet the recommendations of the Architectural Review Board (ARB), Planning & Zoning Commission, and/or City Council.
- 5) The maximum number of storage units provided shall not exceed 625 units for this facility.
- 6) All fences shall be wrought iron or similar, and when necessary incorporate landscaping/living screening to screen the interior of the facility. Chain-link fencing shall be prohibited.
- 7) No outside storage of any kind shall be permitted on this site. This includes the outside storage of boats, recreational vehicles, and motor or self-propelled vehicles.
- 8) Businesses shall not be allowed to operate within individual storage units.
- 9) The commercial operation of rental trucks and trailers shall be prohibited.
- 10) The proposed 30-foot roadway connecting Turtle Cove Boulevard and La Jolla Pointe Drive shall be constructed by the developer in unison with the construction of the Mini-Warehouse Facility. The right-of-way for this roadway shall be dedicated to the City at the time of final plat.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to

exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 21ST DAY OF JANUARY, 2014.**

David Sweet, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *Interim City Attorney*

1st Reading: *January 21, 2014*

2nd Reading: *February 3, 2014*

Exhibit A: Legal Description

CHICAGO TITLE INSURANCE COMPANY

LEGAL DESCRIPTION

GF Number: F131939R

Legal description of the land:

EXHIBIT "A"

DESCRIPTION

All that certain lot, tract or parcel of land situated in the E.P.G. CHISUM SURVEY, ABSTRACT NO. 64, City of Rockwall, Rockwall County, Texas, and being all of a tract of land as described in a Warranty deed from James W. Reese to LGI Properties, LTD, dated July 1, 2003 and being recorded in Volume 3075, Page 146 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a TXDOT brass disk monument found for corner at the intersection of the southwest right-of-way line of Turtle Cove Drive, a 60 foot right-of-way, with the northwest right-of-way line of Ridge Road F.M. 740, a variable width right-of-way per Volume 1582, Page 317 of the Real Property Records of Rockwall County, Texas, and being at the east corner of the above cited tract of land;

THENCE in a southwesterly direction along the northwest right-of-way line of Ridge Road F.M. 740 as follows:

S. 45 deg. 59 min. 50 sec. W. a distance of 113.22 feet to a TXDOT brass disk monument found for corner;
S. 57 deg. 34 min. 20 sec. W. a distance of 103.07 feet to a TXDOT brass disk monument found for corner;
S. 35 deg. 01 min. 32 sec. W. a distance of 101.12 feet to a TXDOT brass disk monument found for corner;
S. 33 deg. 32 min. 12 sec. W. a distance of 204.12 feet to a TXDOT brass disk monument found for corner;
S. 40 deg. 08 min. 27 sec. W. a distance of 136.97 feet to a TXDOT brass disk monument found for corner at the south corner of said Reese to LGI Properties tract and being in the northeast boundary line of Lot 1, Block A, LAKE POINT HEATH AND SCIENCE CENTER ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet C, Slide 216 of the Plat Records of Rockwall County, Texas;

THENCE N. 45 deg. 31 min. 12 sec. W. a distance of 711.59 feet to a 3/8" iron rod found for corner at the west corner of said Reese to LGI Properties tract and being in the southeast right-of-way line of the Union Pacific Railroad, a 100 foot right-of-way;

THENCE N. 49 deg. 42 min. 29 sec. E. along said railroad right-of-way, a distance of 658.84 feet to a 1/2" iron rod found for corner in the southwest right-of-way line of Turtle Cove Drive;

THENCE S. 44 deg. 58 min. 41 sec. E. along said right-of-way line, a distance of 612.21 feet to the POINT OF BEGINNING and containing 422,730 square feet or 9.70 acres of land

Exhibit C: Concept Building Elevations

REVISION NO.

PROPOSED NEW FACILITY FOR:
PLATINUM SELF-STORAGE
 RIDGE RD & TURTLE COVE DR
 ROCKWALL, TEXAS



BUILDING SYSTEMS, LLC
 WWW.JLBSYSTEMS.COM
 10000 W. STATE ST. SUITE 100
 FARMERS BRANCH, TX 75042
 972.241.1111

CONCEPTUAL ELEVATIONS

Date: 11-05-2013
 Scale: 1/8" = 1'-0"
 Drawn: JAL
 PLOT: 13017
 SHEET: A1

PRELIMINARY - NOT FOR CONSTRUCTION

1 SE PERSPECTIVE VIEW (RIDGE RD.)
NOT TO SCALE



Annotations for View 1:
 # 4' HIGH BROUGHAM FENCE
 ASPEN STONE AS SPECIFIED
 POST SYSTEM HOLDING WITH EPS TEXTURE
 SPACING BEAM METAL ROOF
 ASPEN STONE WAINCOT
 3" CAL. CHERRY TIMBER OR SIKILAR APPROVED TREE
 3" CAL. CHERRY TIMBER OR SIKILAR APPROVED TREE
 BRICK FAZE AS SPECIFIED

2 NE ELEVATION (TURTLE COVE DR.)
NOT TO SCALE



Annotations for View 2:
 ASPEN STONE WAINCOT
 BRICK FAZE AS SPECIFIED
 3" CAL. CHERRY TIMBER OR SIKILAR APPROVED TREE
 3" CAL. CHERRY TIMBER OR SIKILAR APPROVED TREE

3 NW ELEVATION (SHARED ACCESS)
NOT TO SCALE



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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 12/16/2013

APPLICANT: Andrea Holliman

AGENDA ITEM: Z2013-032; 904 N. Goliad SUP

SUMMARY:

Hold a public hearing to discuss and consider a request by Andrea Holliman for the approval of a Specific Use Permit to allow an antiques/collectables and general retail store in Planned Development District 50 (PD-50) for a 0.47-acre parcel of land identified as a portion of Lot 1 of the W. D. Austin Addition, Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District and the North SH 205 Corridor Overlay (N-SH 205 OV) District, addressed as 904 N. Goliad Street, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Andrea Holliman, is requesting a Specific Use Permit (SUP) to allow for a General Retail Store and for Antiques/Collectible Sales on the subject property at 904 N. Goliad. The property is zoned Planned Development District 50 (PD-50), which was established in 2002 as a Residential/Office (RO) District to allow property owners the ability to convert their homes to low intensity commercial type uses.

The applicant has indicated that the hours of operation will be Monday through Saturday from 10AM to 5PM and they will close for most major holidays. The business will consist of the sale of furniture, home decor, and accessories. The Unified Development Code requires that a "general retail store" obtain a SUP within the RO District and PD-50 (Ordinance 07-29) requires approval of a SUP to allow for "Antique / Collectible Sales." As part of the criteria for Antique/Collectible Sales, PD-50 specifically prohibits the sale of new or used clothing and appliances and limits the total area for this use to a maximum of 2,000 square feet. The applicant has provided a floor plan which indicates the area to be utilized for Antique/Collectible Sales and a General Retail store.

The existing home on the property is approximately 2,246 square feet. The lot is "L" shaped with an access easement at the back of the property and entry off of Heath Street. The applicant has indicated the installation of nine (9) parking spaces. The required parking for both Antique/Collectible store as well as Retail store is 1 space for each 250 square feet bringing the parking requirement to nine (9) spaces. Additionally, there is a 1,076 square foot building located behind the primary structure that the applicant has expressed an interest in subdividing to create an additional store front. Until adequate parking is provided this building may only be used as an accessory use to the primary use.

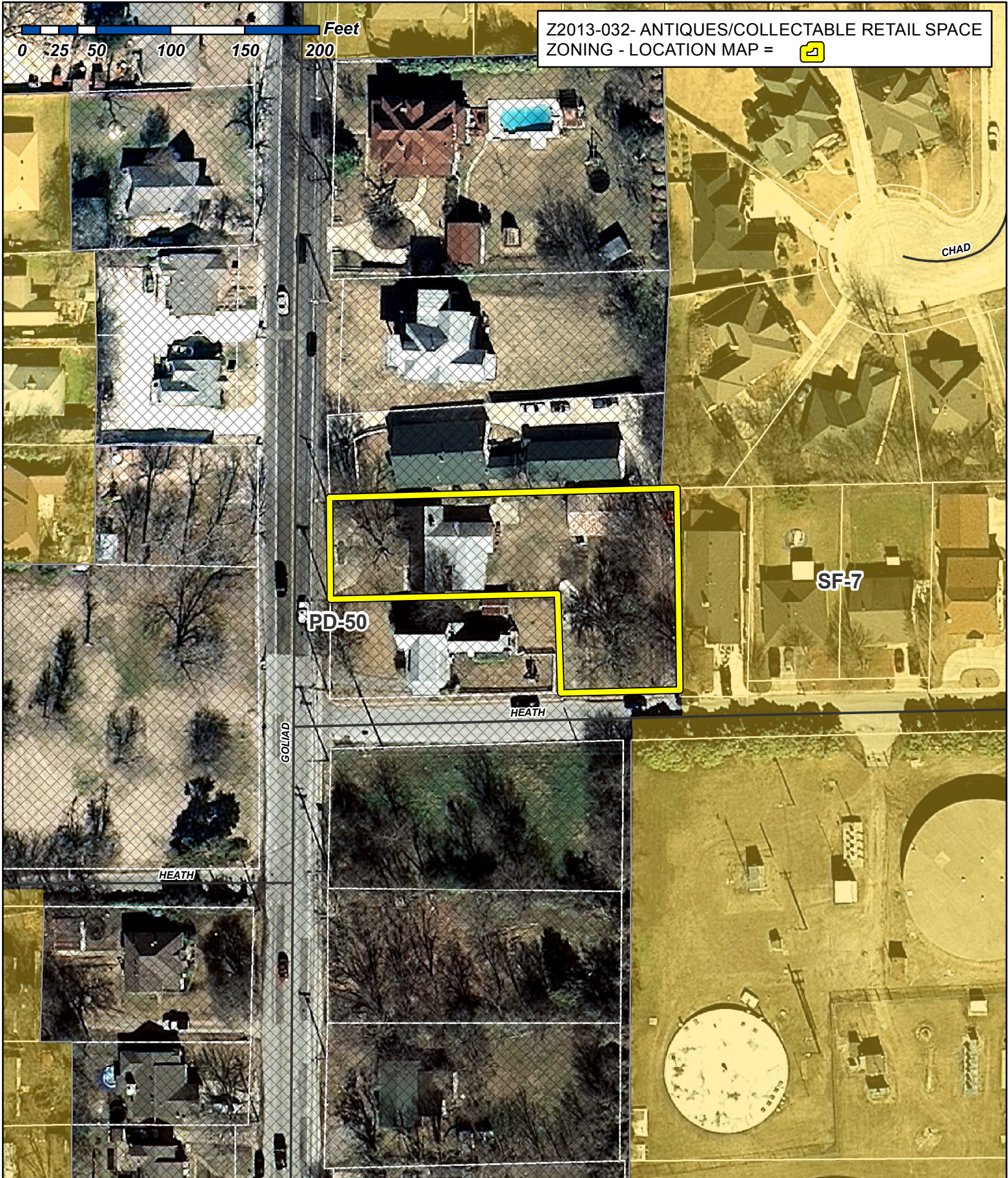
NOTIFICATION:

A notice was published on November 27, 2013 in the Rockwall County News. Twenty Three (23) notices were mailed to property owners of record within 200-ft of the subject property. At the time of this report, no responses have been received.

RECOMMENDATIONS:

If the request for a Specific Use Permit is approved, the following conditions are offered:

1. The Antique/Collectible Sales and Retail Use shall be limited to the existing home at 2,246 sq-ft in area.
2. The parking area and access easement shall be paved with asphalt or concrete.
3. No parking shall be allowed within the SH-205 right-of-way or in front of the building.
4. Signage must conform to the requirements of PD-50.
5. Adherence to Engineering and Fire Department standards.
6. The City Council reserves the right to review the Specific Use Permit granted herein one (1) year after the approval and adoption of the SUP ordinance.
7. No outside display or storage shall be permitted on this site.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user. 104



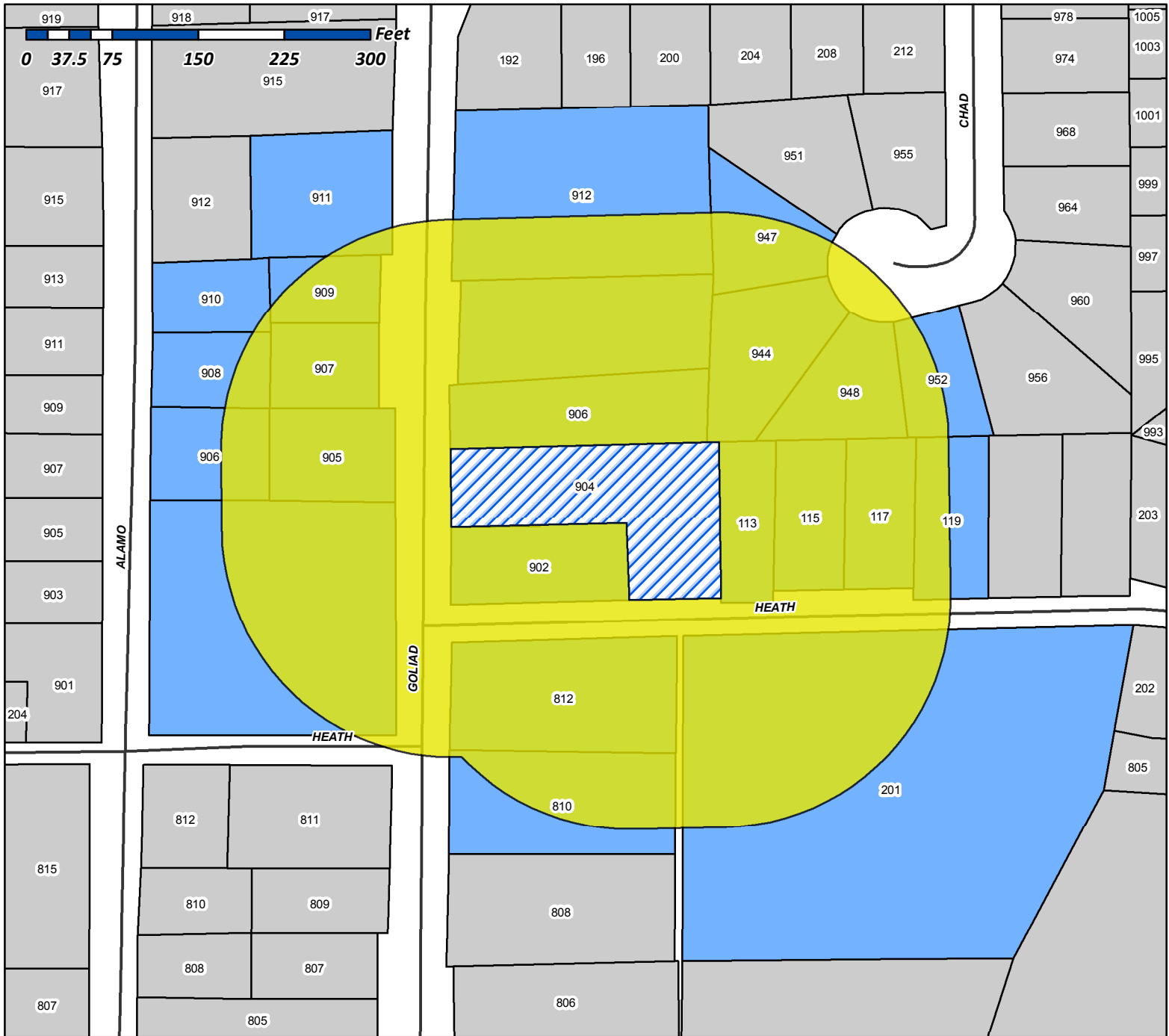
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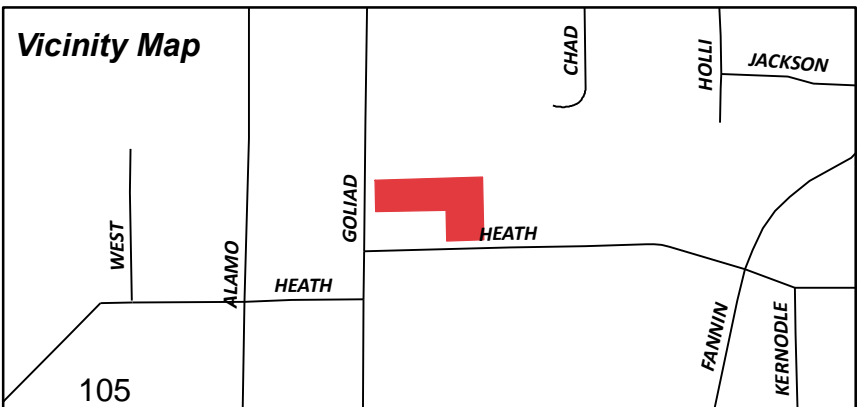
City of Rockwall

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Case Number: Z2013-032
Case Name: Antique/Collect - Retail
Case Type: Specific Use Permit
Zoning: PD-50
Case Address: 904 N. Goliad



Date Created: 11/19/2013
For Questions on this Case Call (972) 771-7745

CROSS_REF	file_as_na	legal_desc	addr_line1	addr_line2	addr_line3	addr_city	addr_state	zip
4509-000A-0019-00-OR	NELSON KAROLYN KAY	NORTH TOWNE ADDITION, BLOCK A, LOT 19		952 CHAD WAY		ROCKWALL	TX	75087
4497-0000-0002-00-OR	CHRISTENSEN CATHERINE	MCLEAN/MOORE ADDITION, LOT 2		117 E HEATH ST		ROCKWALL	TX	75087
3070-0160-0004-03-OR	GARRISON MONA	AUSTIN, LOT TR 3 OF 9		119 E HEATH ST		ROCKWALL	TX	75087
4509-000A-0020-00-OR	PRINGLE ROY L & PHYLLIS M	NORTH TOWNE ADDITION, BLOCK A, LOT 20		PO BOX 584		ROCKWALL	TX	75087
4497-0000-0001-00-OR	CHISENHALL ROBERT	MCLEAN/MOORE ADDITION, LOT 1		115 E HEATH ST		ROCKWALL	TX	75087
5260-0000-0001-00-OR	WILLIAMS ALEX R	WILLIAMS, LOT 1		906 N ALAMO RD		ROCKWALL	TX	75087
3730-0027-0000-C0-OR	PIERCE CAROLYN GREEN	GARNER, BLOCK PART 27		908 N ALAMO RD		ROCKWALL	TX	75087
3730-0027-0000-A0-OR	WILLIAMS ALEX RAY &	GARNER, BLOCK PART 27	PATRICIA L WILLIAMS WILKERSON	906 N ALAMO RD		ROCKWALL	TX	75087
4436-0001-0001-00-OR	DOUBLE T VENTURES LLC	MISTY ADDITION, BLOCK 1, LOT 1		1500 S KREYMER LN		WYLIE	TX	75098
3730-0026-0ALL-00-OR	FALLS DAVID C & TERRI L	GARNER, BLOCK ALL 26		3608 LAKESIDE DR		ROCKWALL	TX	75087
3856-0001-0001-00-OR	DOUBLE T VENTURES LLC	HENRY ADDITION, BLOCK 1, LOT 1		1500 S KREYMER LN		WYLIE	TX	75087
3070-0160-0004-00-OR	ALBARRAN BRENDA	AUSTIN, LOT PT 1 0.24 AC		302 DREW LN		HEATH	TX	75032
3070-0160-0004-01-OR	HILL TOBY VERN H & ANGELA DAWN	AUSTIN, LOT PT 1, ACRES 0.23		113 E HEATH ST		ROCKWALL	TX	75087
3070-0160-0005-00-OR	HOLLIMAN ANDREA	AUSTIN, LOT PT 1 0.47 AC		204 N. WEST ST		ROCKWALL	TX	75087
3140-0124-000C-00-OR	CITY LIFT STATION	B F BOYDSTON, BLOCK 124, LOT C, ACRES 5, EXEMPT		201 E WASHINGTON ST		ROCKWALL	TX	75087
3005-000A-0001-00-OR	HILL LES & SHARON ANN	ADAMS ADDN, BLOCK A, LOT 1		911 N GOLIAD ST		ROCKWALL	TX	75087
3140-0124-000A-00-OR	KUMAR EESHAN & VANDANA KUMAR	B F BOYDSTON, BLOCK 124, LOT A		4701 COPPER MOUNTAIN LN		RICHARDSON	TX	75082
3140-0124-000D-00-OR	HOLLON GREGORY D	B F BOYDSTON, BLOCK 124, LOT D, 812 N GOLIAD		2778 S FM 549		ROCKWALL	TX	75032
3730-027B-0ALL-00-OR	ZAVALA VICTOR V	GARNER, BLOCK ALL 27B		910 N ALAMO RD		ROCKWALL	TX	75087
3070-0160-0001-00-OR	STACEY MARY A	AUSTIN, LOT 3, ACRES .745		912 N GOLIAD ST		ROCKWALL	TX	75087
4509-000A-0022-00-OR	ELLIS MARY KATHRYN	NORTH TOWNE ADDITION, BLOCK A, LOT 22		336 EQUESTRIAN DR		ROCKWALL	TX	75032
4509-000A-0021-00-OR	TAILLAC JEAN ANTHONY	NORTH TOWNE ADDITION, BLOCK A, LOT 21		644 CHAD WAY		ROCKWALL	TX	75087
5058-000A-0016-00-OR	STEELE SHARON K	STEELE ADDITION, BLOCK A, TRACT 16		906 N GOLIAD		ROCKWALL	TX	75032
3851-000A-0001-00-OR								

Sanford, JoDee

From:
Sent: Tuesday, November 19, 2013 2:32 PM
To: Sanford, JoDee
Subject: Specific Use Permit 904 N Goliad

Hi JoDee,

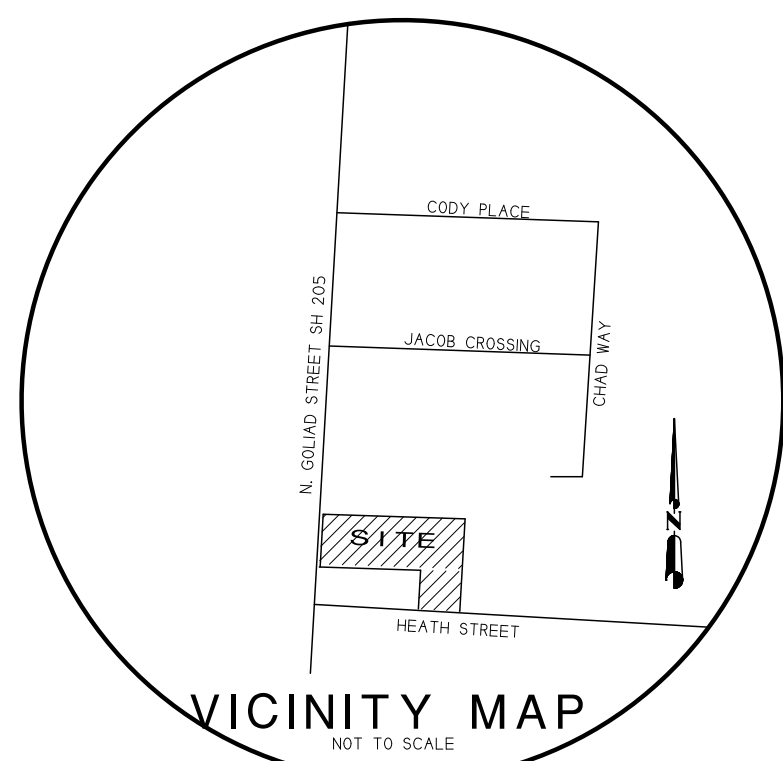
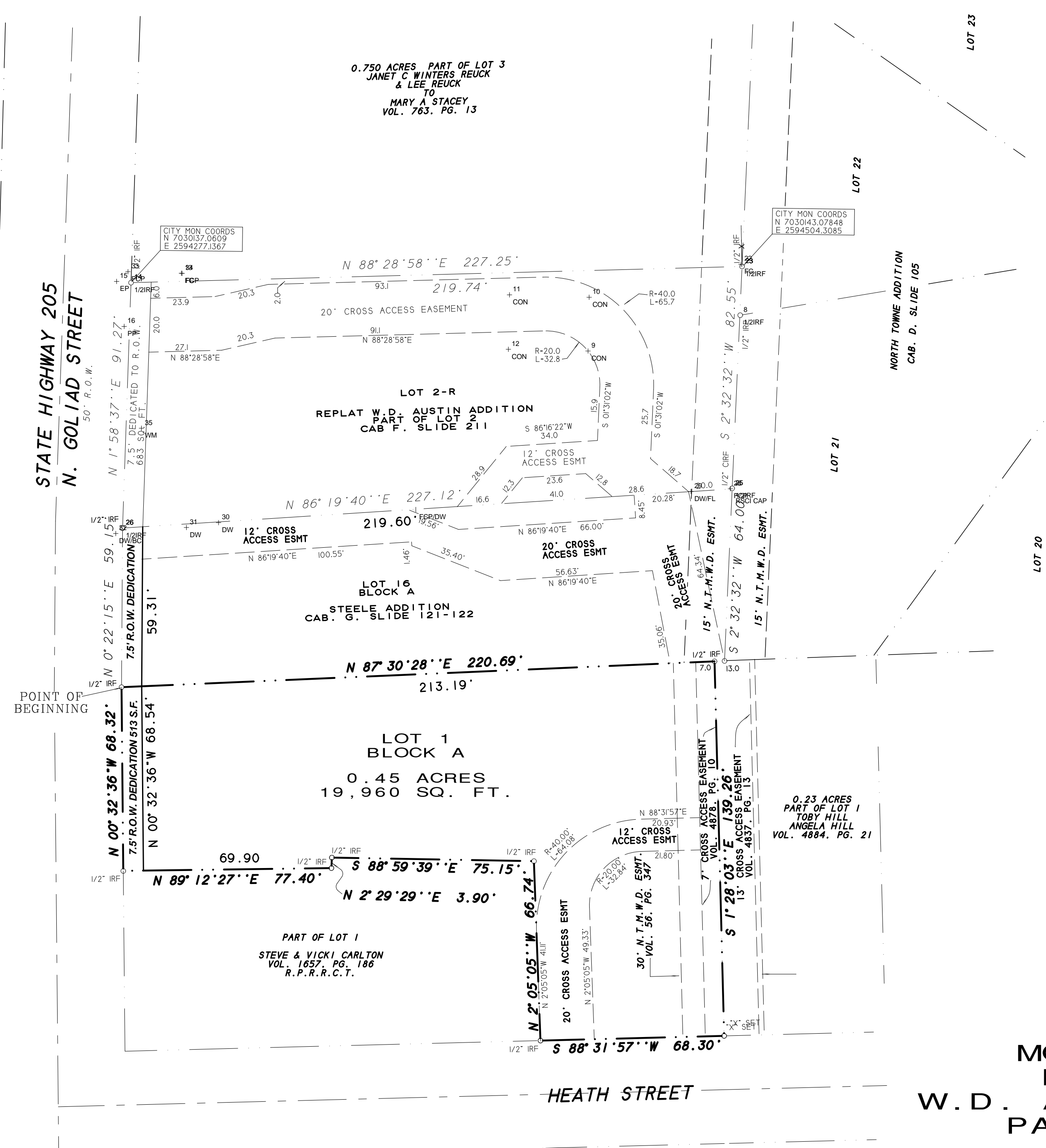
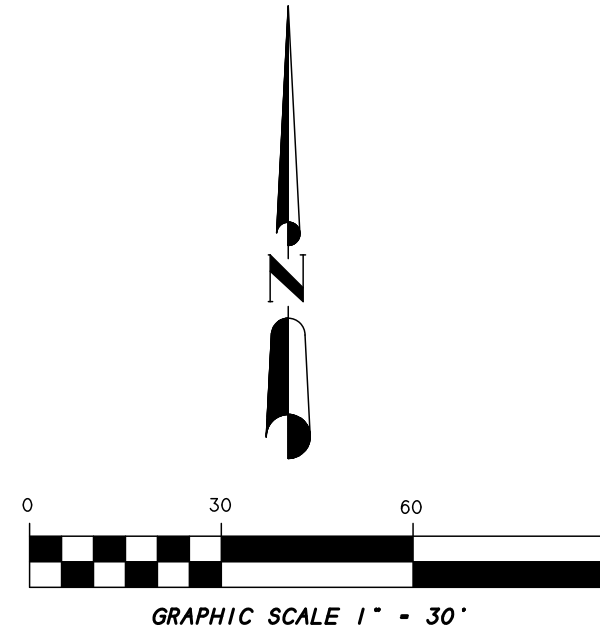
I am writing today to request a specific use permit for my property located at 904 N Goliad, Rockwall 75087. I apologise for the delay in getting this off to you, I had to unexpectedly come to Houston to help terminal family members.

I would like to open a retail store in this building. We would like to sell high end new and "like new" furniture and home décor items, antiques and collectibles, occasionally clothing items may be offered such as furs, gowns etc., artwork, organic bath and body skincare products, candles, and jewelry.

Please let me know if you have any questions or need clarification on any items.

Thank you for your time.

Sincerely,
Andrea Holliman
214-906-4417



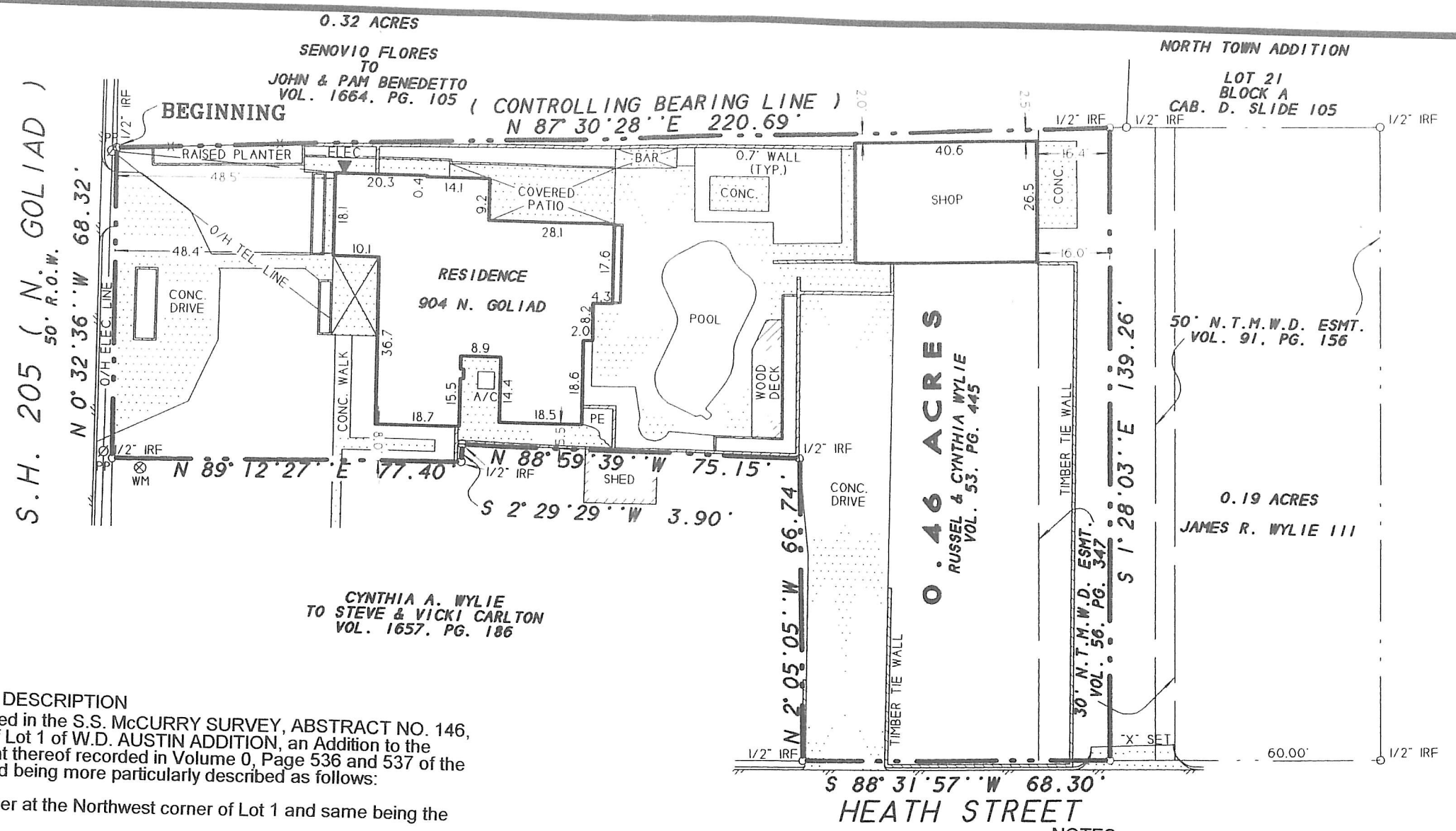
- NOTES
- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 480547 0005 C dated June 16, 1992, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
 - 2) BEARING SOURCE: RECORDED DEED IN VOL. 612, P. 209, R.P.R.R.C.T.
 - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

FINAL PLAT
MGH ADDITION
REPLAT OF
W.D. AUSTIN ADDITION
PART OF LOT 1
 0.47 ACRES (1 LOT)
 S.S. MCCURRY SURVEY, A-146
 AN ADDITION TO THE CITY OF ROCKWALL
 ROCKWALL COUNTY, TEXAS

RSC
 ROCKWALL SURVEYING CO., INC. AND SURVEYING

1984 S. FM 551 ROYSE CITY, TX 75189 972-772-5434 PHONE 972-772-5443 FAX

SHEET 1 OF 2
 SURVEY DATE JULY 18, 2008
 SCALE 1" = 30' FILE # 991085-RP2
 CLIENT CRAVEN



DESCRIPTION

All that certain lot, tract, parcel of land situated in the S.S. McCURRY SURVEY, ABSTRACT NO. 146, Rockwall County, Texas, and being a part of Lot 1 of W.D. AUSTIN ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Volume 0, Page 536 and 537 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

- BEGINNING at a 1/2" iron rod found for corner at the Northwest corner of Lot 1 and same being the Southeast corner of Lot 2;
- THENCE N. 87 deg. 30 min. 28 sec. E. along the South line of Lot 2, a distance of 220.69 feet to a 1/2" iron rod found for corner;
- THENCE S 01 deg. 28 min. 03 sec. E. a distance of 139.26 feet, to an "X" set in a concrete driveway apron at the North right-of-way line of Heath Street;
- THENCE S. 88 deg. 31 min. 57 sec. W. along the North right-of-way line of Heath Street, a distance of 68.30 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;
- THENCE N. 02 deg. 05 min. 05 sec. W. a distance of 66.74 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner at the base of a fence corner post;
- THENCE N. 88 deg. 59 min. 35 sec. W. along a wood board fence line, a distance of 75.15 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner at the base of a fence corner post;
- THENCE S. 02 deg. 29 min. 29 sec. W. along a wood board fence line, a distance of 3.90 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner at the base of a fence corner post;
- THENCE S. 89 deg. 12 min. 27 sec. W. a distance of 77.40 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner in the East right-of-way line of State Highway 205 (N. Goliad);
- THENCE N. 00 deg. 32 min. 36 sec. W. along the East right-of-way line of State Highway 205 (N. Goliad), a distance of 68.32 feet to the POINT OF BEGINNING and containing 0.47 acres of land.

- NOTES**
- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 480547 0005 C dated June 16, 1992, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
 - 2) BEARING SOURCE: RECORDED DEED VOL. 1664, PG. 105, D.R.R.C.T.
 - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CHICAGO TITLE COMPANY, and COREY R. & KENDALL L. WILSON at 904 N. GOLIAD, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as found at the time of survey. This Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 6th day of November, 1999.

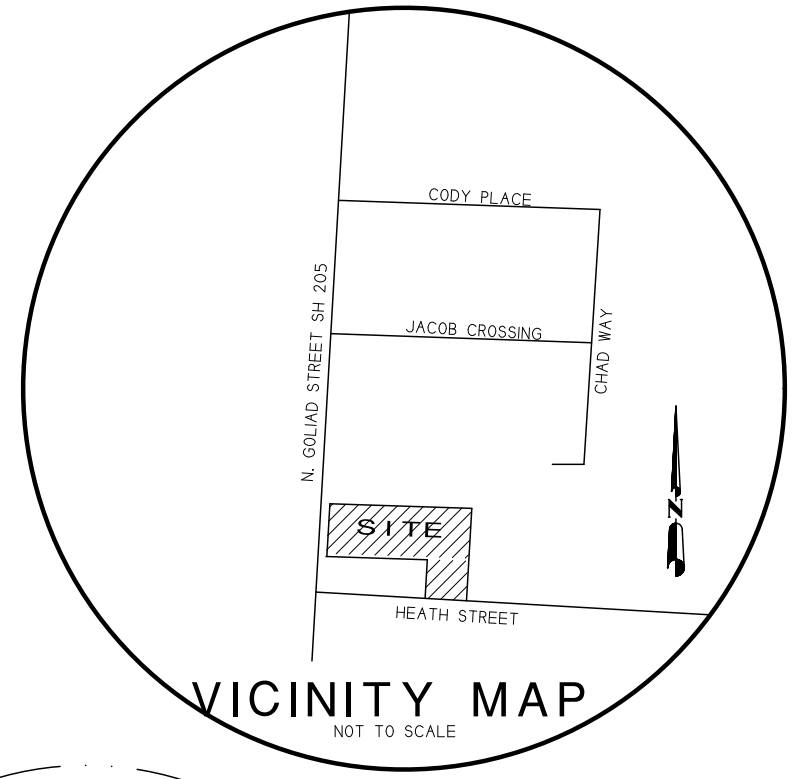
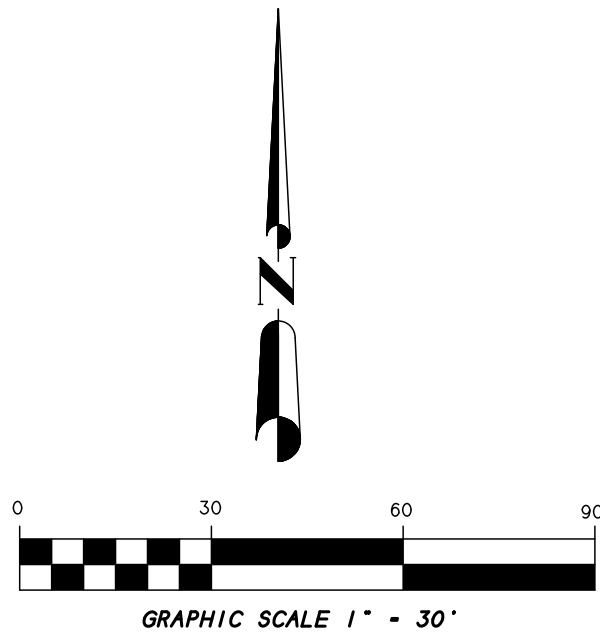
[Signature]
 Harold D. Fetty III, R.P.L.S. No. 5034



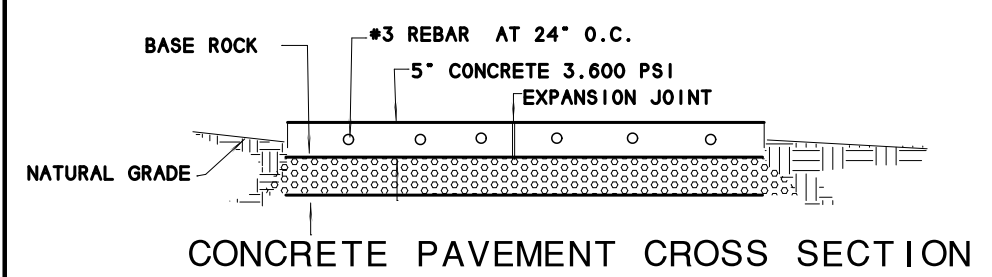
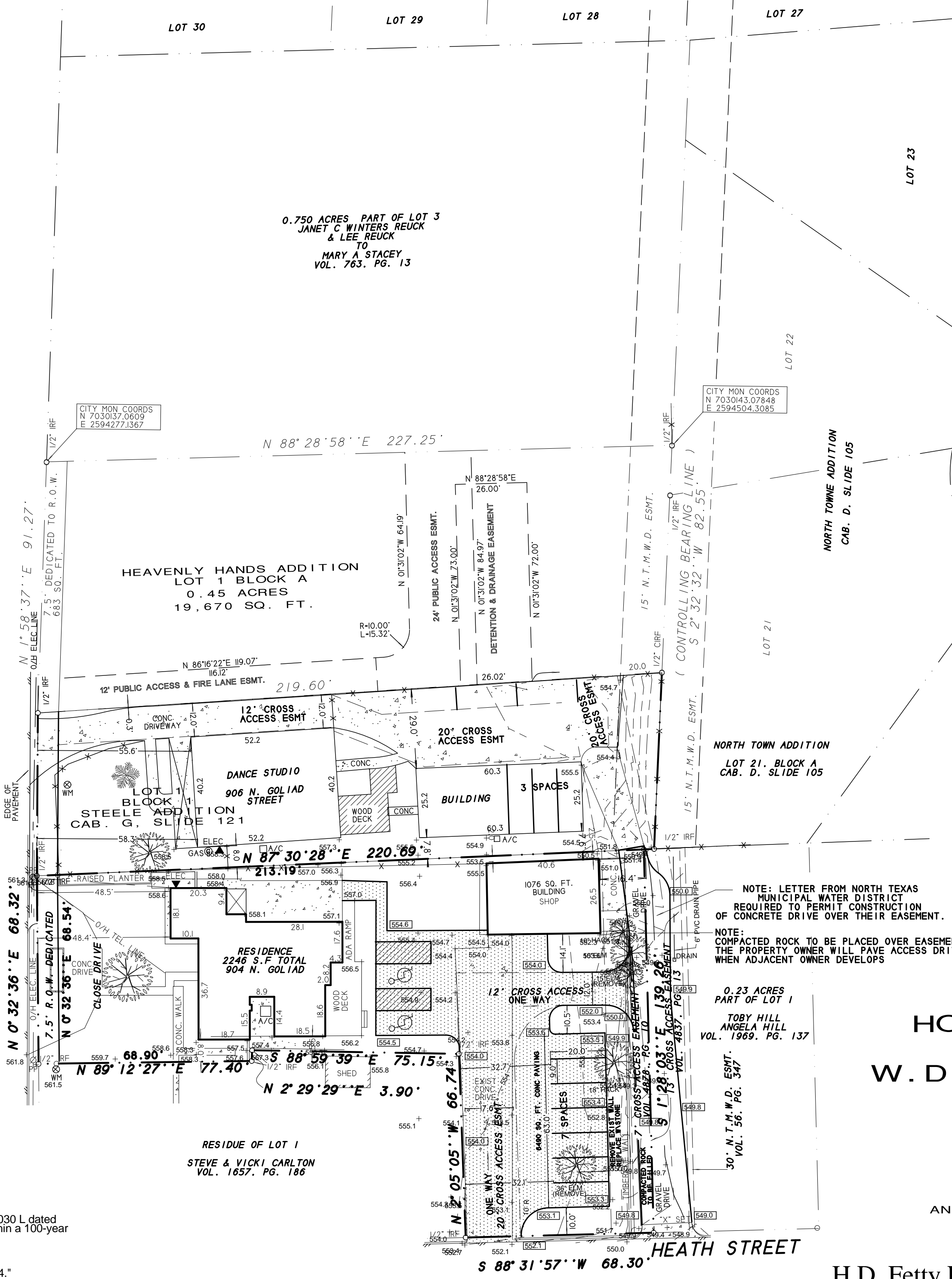
SURVEY DATE NOV. 6. 1999
 SCALE 1" = 30' FILE # 991085-4
 CLIENT WILSON, GF # 99R15536

ROCKWALL SURVEYING COMPANY, INC.
 306 E. WASHINGTON, SUITE C ROCKWALL, TEXAS 75087 PHONE (972) 772-5434 FAX (972) 772-5443

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N. GOLIAD STREET
(STATE HIGHWAY 205)



**SITE PLAN
HOLLIMAN ADDITION
REPLAT OF
W.D. AUSTIN ADDITION
PART OF LOT 1**

OWNER:
ANDREA HOLLIMAN
ROCKWALL, TX 75032

0.45 ACRES (1 LOT)
S.S. MCCURRY SURVEY, A-146
AN ADDITION TO THE CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

- NOTES
- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
 - 2) BEARING SOURCE: RECORDED DEED IN VOL. 612, P. 209, R.P.R.R.C.T.
 - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

NOTE: LETTER FROM NORTH TEXAS MUNICIPAL WATER DISTRICT REQUIRED TO PERMIT CONSTRUCTION OF CONCRETE DRIVE OVER THEIR EASEMENT.

NOTE: COMPACTED ROCK TO BE PLACED OVER EASEMENT THE PROPERTY OWNER WILL PAYE ACCESS DRIVEWAY WHEN ADJACENT OWNER DEVELOPS

0.23 ACRES
PART OF LOT 1
TOBY HILL
ANGELA HILL
VOL. 1969, PG. 137

30' N.T.M.W.D. ESMT.
VOL. 56, PG. 347

SURVEY DATE DECEMBER 5, 2013
SCALE 1" = 30' FILE # 991085-SP3
CLIENT HOLLIMAN

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE 972-635-9979 FAX

CITY OF ROCKWALL

ORDINANCE NO. 13-_____

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN PLANNED DEVELOPMENT DISTRICT 50 (PD-50) ALLOWING FOR AN ANTIQUES/COLLECTIBLES AND GENERAL RETAIL STORE, THE SUBJECT PROPERTY IS LOCATED AT 904 N. GOLIAD STREET, BEING A PARCEL OF LAND DESCRIBED AS LOT 1 OF THE W. D. AUSTIN ADDITION, ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Andrea Holliman for a Specific Use Permit within Planned Development District 50 (PD-50) allowing for an Antiques/Collectibles and General Retail Store on the property located at 904 N. Goliad Street, being a parcel of land described as Lot 1 of the W. D. Austin Addition, Rockwall, Rockwall County, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for an Antiques/Collectibles and General Retail Store within Planned Development District 50 (PD-50), on the subject property at 904 N. Goliad Street, being a parcel of land described as Lot 1 of W.D. Austin Addition, Rockwall, Rockwall County, Texas; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in “**PD-50**” **Planned Development District-50 (PD-50) & Section 4.2, “R-O” Residential Office District, of Article V, District Development Standards, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and definitions.

2.1 Operational Conditions

The following conditions pertain to the operation of an Antiques/Collectibles and General Retail Store on the subject property at 904 N. Goliad Street and conformance to these stipulations are required for continued operations:

- 1) The Antique/Collectible Sales and General Retail Store shall be limited to the existing home at 2,246 square feet in area and in accordance with the floor plan attached hereto as Exhibit A (Area for Antique/Collectible Sales not to exceed 2,000 square feet).
- 2) Parking along, adjacent to or in the right-of-way of SH-205 shall be prohibited. Parking in front of the building for any reason shall also be prohibited.
- 3) Signage for the site shall conform to the Old Historic Rockwall Historic District Guidelines detailed in Exhibit B of Ordinance No. 02-46 (PD-50) and the North Goliad Corridor Overlay (NGCOV) District.
- 4) No outside display or storage shall be permitted on this site.
- 5) The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof and at any time thereafter.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE _____ DAY OF _____, 2013.**

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

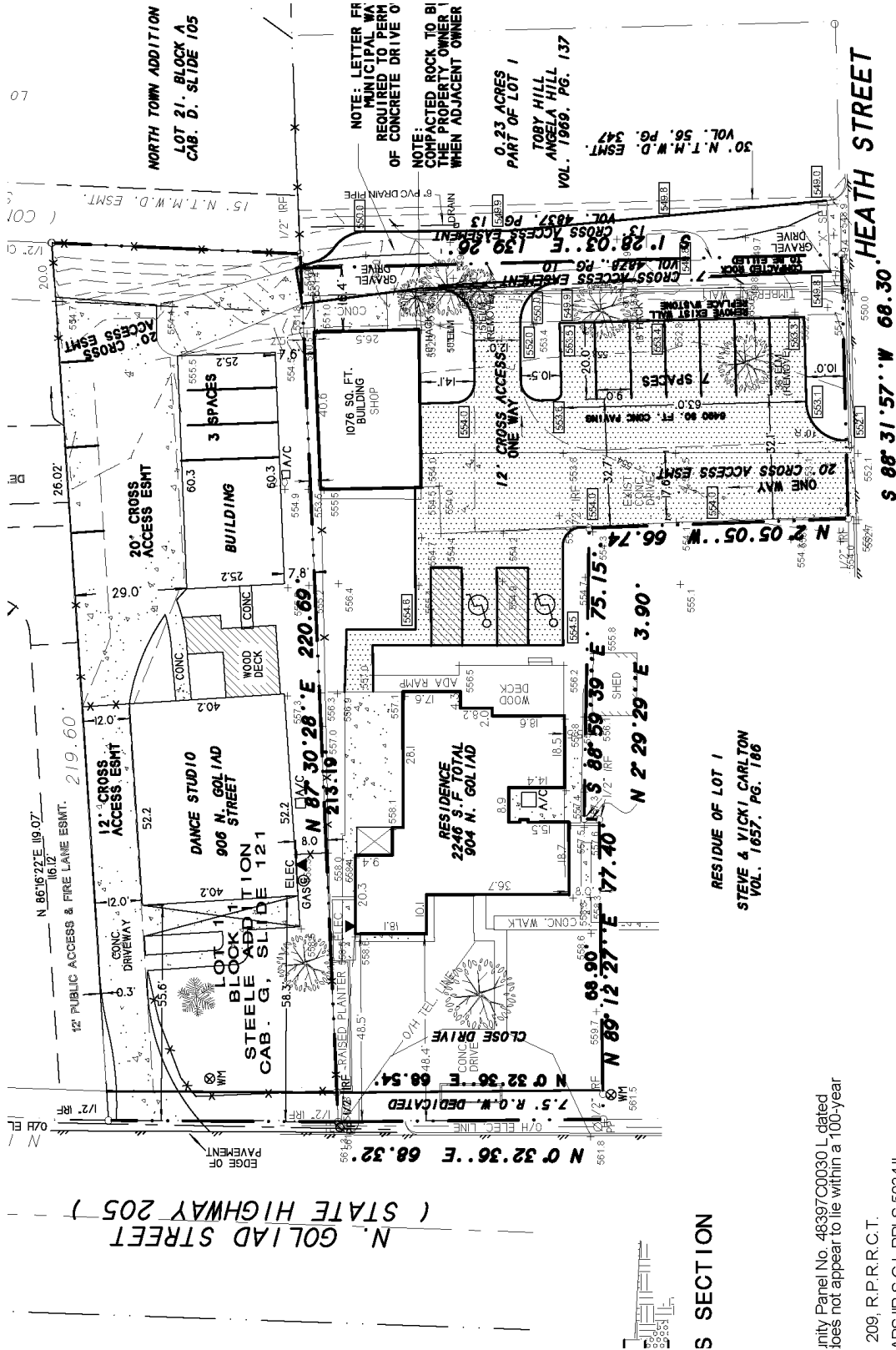
APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: ___

2nd Reading: ___

Exhibit A
 Site Plan: Page 1 of 2

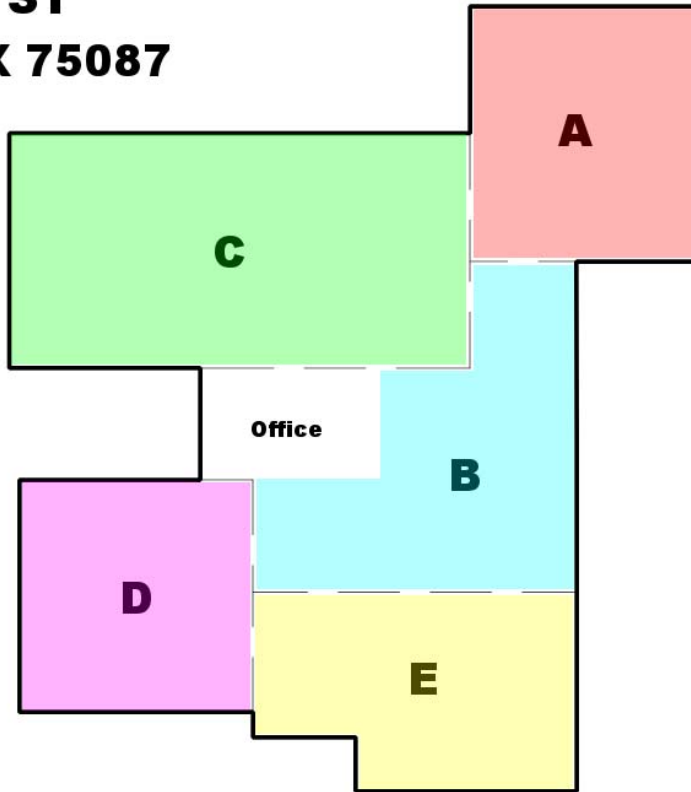


Unity Panel No. 48397C0030 L, dated [unclear] does not appear to lie within a 100-year

209, R.P.R.R.C.T.
 APS "R.S.C.I. RPLS 5034."

**904 N. GOLIAD ST
ROCKWALL, TX 75087**

A	19' x 11'	= 209 s.f.
B	13' 11" x 27' 5"	= 360.5 s.f.
C	28' x 17' 9"	= 492.75 s.f.
D	17' x 17'	= 289 s.f.
E	6' x 22'	= 132 s.f.
Office, etc.		= 762 s.f.
<hr/>		
Total		= 2,246 s.f.



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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 12/16/2013

APPLICANT: Kristin and Joshua Whitaker

AGENDA ITEM: Z2013-033; Accessory Building SUP

SUMMARY:

Hold a public hearing to discuss and consider a request by Kristin and Joshua Whitaker for the approval of a Specific Use Permit for an accessory building that does not conform to the material requirements as specified for a property in a Single-Family Estate 1.5 (SFE-1.5) District on a 1.5-acre parcel of land identified as Lot 17, Block B, Sterling Farms Addition, Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, located at 1970 Copper Ridge Circle, and take any action necessary.

BACKGROUND INFORMATION:

The applicants, Mr. and Mrs. Whitaker, are requesting a Specific Use Permit (SUP) to allow for a 660-sf accessory building not meeting the exterior material requirements of the Single Family Estate 1.5 (SFE-1.5) District standards.

Under the use standards of the Unified Development Code, the accessory building shall be accessory to a residential use and located on the same lot. By right, in the SF-E district, no more than two (2) accessory buildings shall be allowed which are up to 625 sq-ft (each) and are 15 ft or less in height; or a single building which is up to 1,250 sq-ft in area (SFE-1.5) and 15 ft or less in height, provided the exterior cladding contains the same materials, excluding glass, as is found on the main structure and generally in the same proportion. Accessory buildings not meeting these standards shall require approval of an SUP.

There is an existing home on the property. The proposed accessory structure will be approximately 22' x 30' and 9' in height. With the exception of the exterior building materials, the building does conform to the requirements for an accessory structure.

NOTIFICATION:

A notice was published on November 27, 2013 in the Rockwall County News. Fifteen (15) notices were mailed to property owners of record within 200-ft of the subject property. At the time of this report, one response has been received in favor of the request.

RECOMMENDATIONS:

If the request is approved, the following conditions are offered:

1. The building will comply with the approved site plan and building elevations.
2. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof and at any time thereafter.



Z2013-033- ACCESSORY BUILDING SUP
 ZONING - LOCATION MAP =

0 65 130 260 390 520 Feet

C

6

SH/276

GOLDEN

SFE-1.5

STERLING

COPPER RIDGE

DIAMOND WAY

AG



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75087
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user. 118



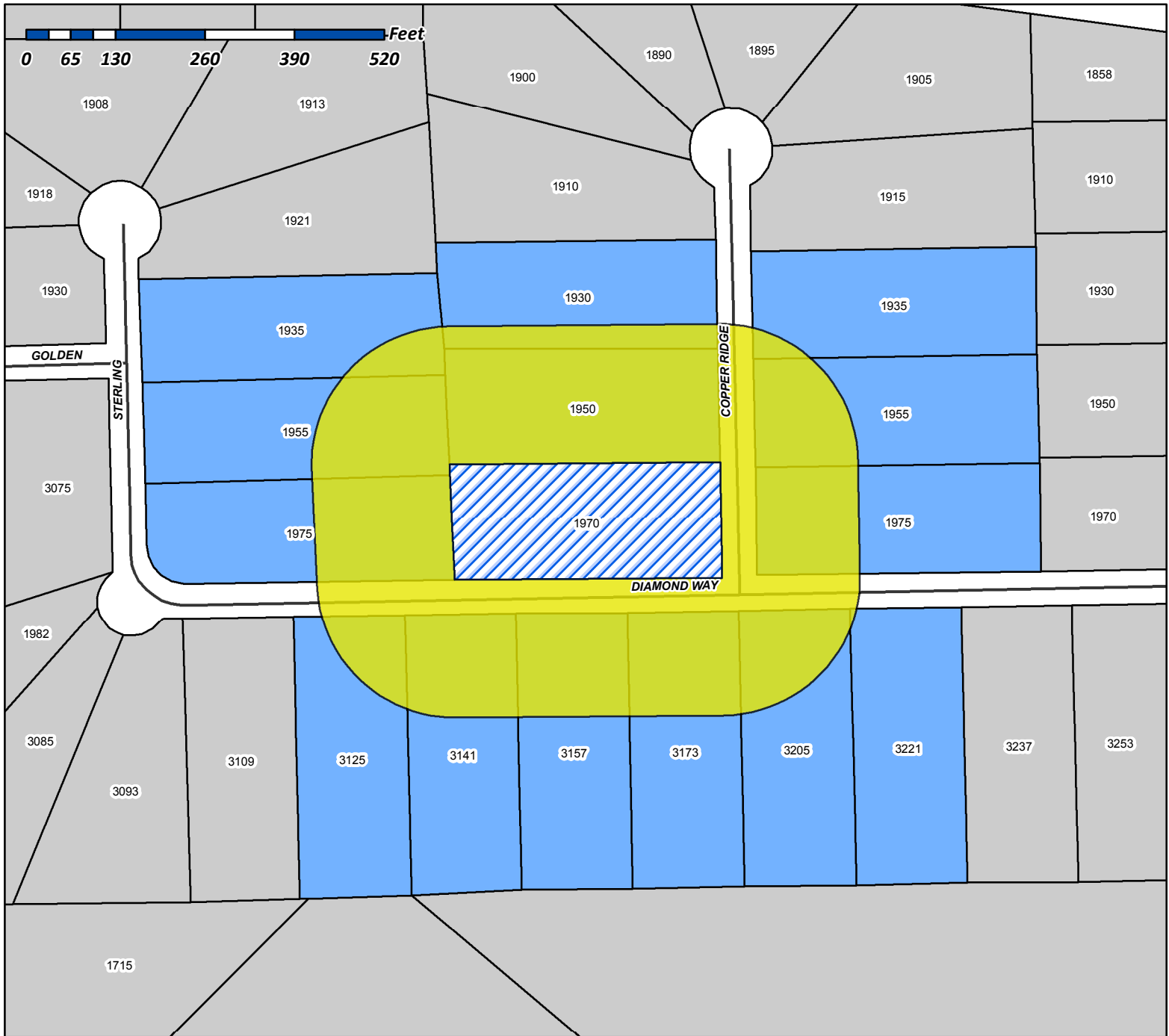
1:2,500



City of Rockwall

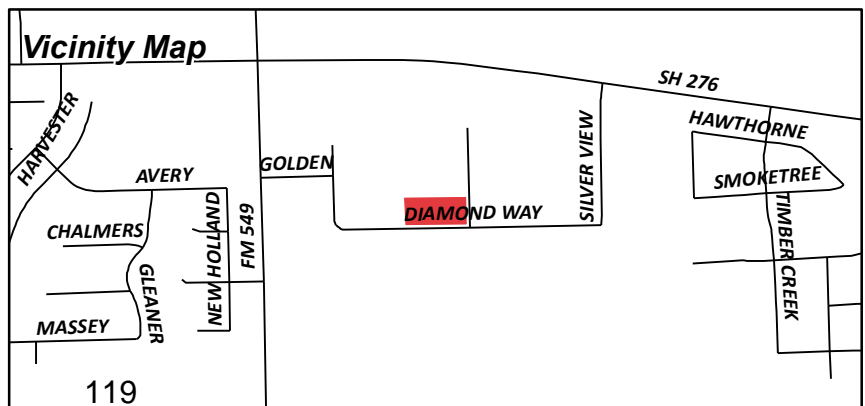
Planning & Zoning Department
385 S. Goliad Street
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Case Number: Z2013-033
Case Name: Accessory Building SUP
Case Type: Specific Use Permit
Zoning: SF-E/1.5
Case Address: 1970 Copper Ridge Circle

Date Created: 11/19/2013
 For Questions on this Case Call (972) 771-7745



CROSS_REF	file_as_na	legal_desc	addr_line1	addr_line2	addr_line3	addr_city	addr_state	zip
5069-000B-0017-00-OR	CLARK TOM & LORI	STERLING FARMS ADDITION, BLOCK B, LOT 17		1970 COPPER RIDGE CIR		ROCKWALL	TX	75032
5069-000B-0016-00-OR	SCOTT MICHAEL C & DOROTHY	STERLING FARMS ADDITION, BLOCK B, LOT 16		1950 COPPER RIDGE CIR		ROCKWALL	TX	75032
5069-000B-0018-00-OR	THOMAS CLIFTON D & YASMIN P TEJANI THOMAS	STERLING FARMS ADDITION, BLOCK B, LOT 18		1975 STERLING CT		ROCKWALL	TX	75032
5069-000B-0020-00-OR	AH4R I TX DFW LLC	STERLING FARMS ADDITION, BLOCK B, LOT 20		23815 STUART RANCH RD	STE 302	MALIBU	CA	90265
5069-000B-0008-00-OR	DIAZ JORGE L & LINDA A	STERLING FARMS ADDITION, BLOCK B, LOT 8		1935 COPPER RIDGE CIR		ROCKWALL	TX	75032
5069-000B-0007-00-OR	RISHER CONNIE LYNN	STERLING FARMS ADDITION, BLOCK B, LOT 7		1955 COPPER RIDGE CIR		ROCKWALL	TX	75032
5069-000B-0015-00-OR	USSERY DAVID & PAMELA	STERLING FARMS ADDITION, BLOCK B, LOT 15		1930 COPPER RIDGE CIR		ROCKWALL	TX	75032
5069-000B-0019-00-OR	GLASSCOCK BILLY B & PENNY	STERLING FARMS ADDITION, BLOCK B, LOT 19		1955 STERLING CT		ROCKWALL	TX	75032
5069-000B-0006-00-OR	HELMS DEBBIE B	STERLING FARMS ADDITION, BLOCK B, LOT 6		1975 COPPER RIDGE CIR		ROCKWALL	TX	75032
5069-000A-0014-00-OR	CHAPMAN JERREL & MELBA	STERLING FARMS ADDITION, BLOCK A, LOT 14		3173 DIAMOND WAY DR		ROCKWALL	TX	75032
5069-000A-0013-00-OR	MILLER ERROL D & VICKI S	STERLING FARMS ADDITION, BLOCK A, LOT 13		3205 DIAMOND WAY DRIVE		ROCKWALL	TX	75032
5069-000A-0012-00-OR	HALBROOK R D & MARLENE S	STERLING FARMS ADDITION, BLOCK A, LOT 12		3221 DIAMOND WAY DR		ROCKWALL	TX	75032
5069-000A-0017-00-OR	FEDERAL NATIONAL MORTGAGE ASSOC	STERLING FARMS ADDITION, BLOCK A, LOT 17	AKA FANNIE MAE	PO BOX 650043		DALLAS	TX	75265
5069-000A-0016-00-OR	GUZMAN GOMEZ SUSAN W &	STERLING FARMS ADDITION, BLOCK A, LOT 16	ELVIN OMAR GUZMAN GOMEZ	3141 DIAMOND WAY DR		ROCKWALL	TX	75032
5069-000A-0015-00-OR	COLEMAN GREGORY D & PAMELA A	STERLING FARMS ADDITION, BLOCK A, LOT 15		3157 DIAMOND WAY DR		ROCKWALL	TX	75032

August 14th, 2013

City of Rockwall

Planning and Zoning Department

385 S. Galois Street

Rockwall, Texas 75087

Dear Sir/Madam

I am writing to request your approval to construct a metal building on a concrete slab. The metal building will be 22 feet wide, 30 feet long and 9 feet high.

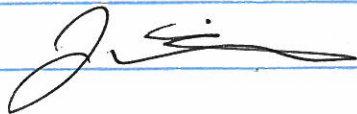
The building will be used to store/contain yard equipment, tools and other personal use.

Automobiles will not be stored in this building at anytime.

I am grateful for your consideration and review of my application for possible approval.

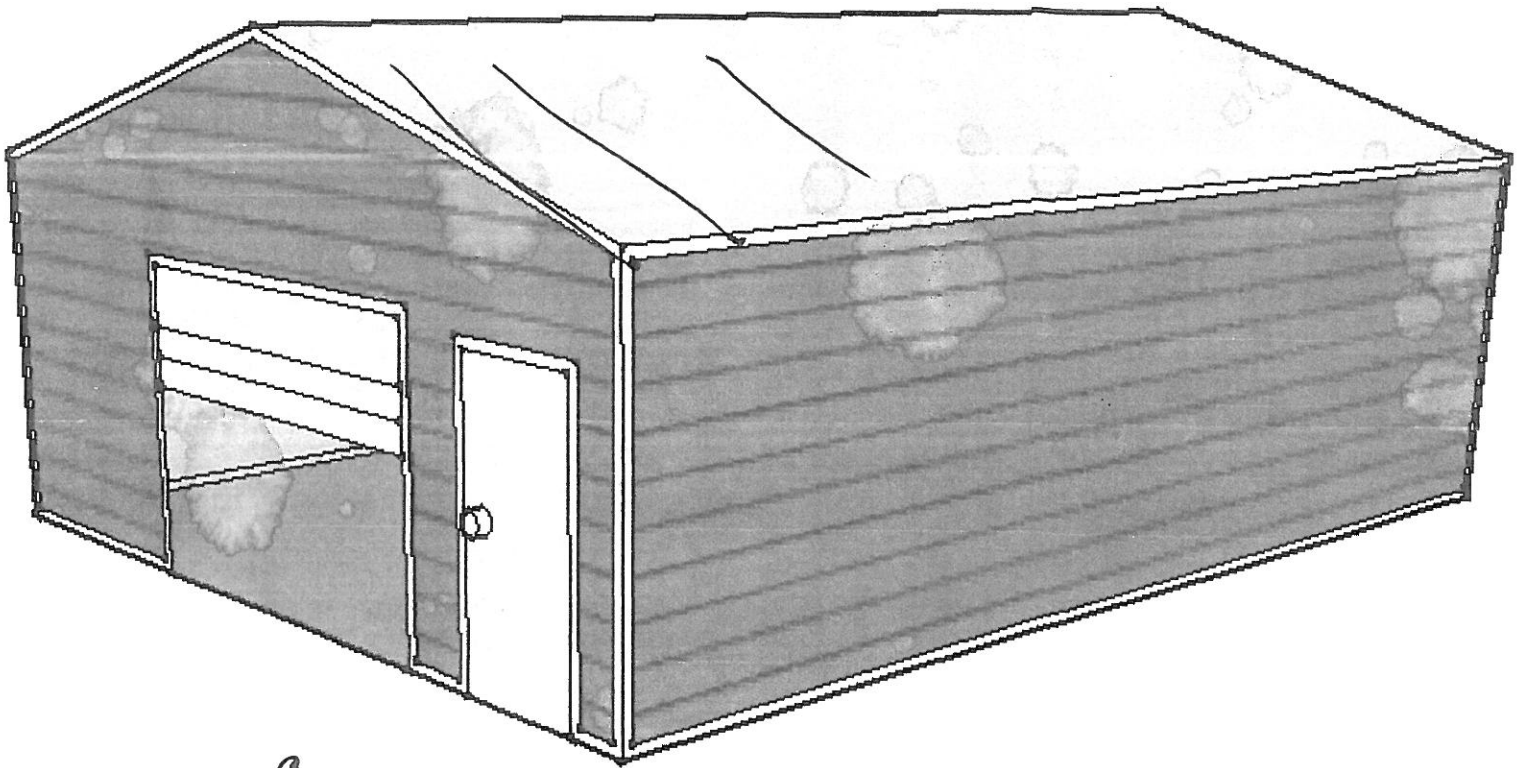
Best Regards,

Joshua B. Whitaker



Brook Blakey
 214-543-3416
 concrete

Brad Meador
 903 356-3400
 214-995-9923



22x30x9

2395

150 Braces

300 9'

660 Sides

1540 ENDS

800 Doors

200 walk

150 window

6195.00

22x25 - \$4600.00

24x25 \$5500.00 - 1091
 \$6000.00

Concrete

3630.00

5.50 ~~15~~

Spray Foam

1995.00

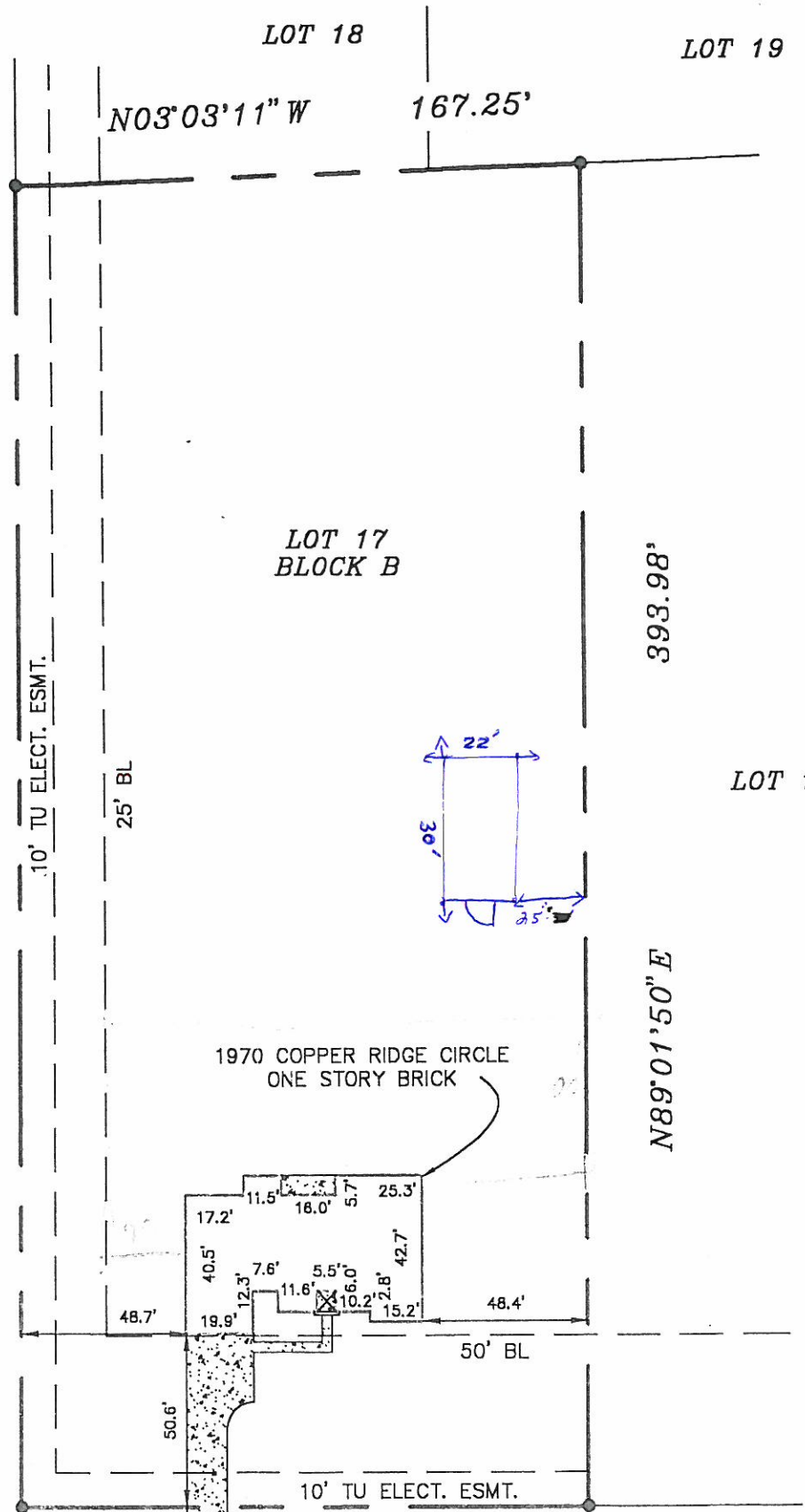
1.25 ~~15~~

DIAMOND WAY DRIVE

(50'R.O.W.)

S89°01'50" W

387.90'



S00°58'10" E 167.14'

COPPER RIDGE CIRCLE (50' R.O.W.)

ACCEPTED AND APPROVED

[Signature]
 8/5/98
 DATE

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:
 This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 1970 COPPER RIDGE CIRCLE in the County of Rockwall, Texas, described as follows:
 LOT 17, BLOCK B, OF STERLING FARMS ADDITION SUBDIVISION, AN ADDITION IN ROCKWALL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET C, SLIDE 395, PLAT RECORDS OF ROCKWALL COUNTY, TEXAS.

THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN ACCORDING TO THE FLOOD PLAIN MAP OF ROCKWALL COUNTY UNINCORPORATED AREAS COMMUNITY PANEL NO. 480543 0045 B, MAP DATED 9/17/80 (ZONE "C").

TO THE BEST OF MY KNOWLEDGE, THE FOLLOWING EASEMENTS DO NOT AFFECT THIS PROPERTY:

1. VOLUME 46, PAGE 197, D.R.R.C.T.
2. VOLUME 75, PAGE 583, D.R.R.C.T.
3. VOLUME 118, PAGE 35, D.R.R.C.T.

Z 2013 033

RECEIVED
 NOV 15 2013
 BY: _____

** BEARINGS ARE BASED ON PLAT.

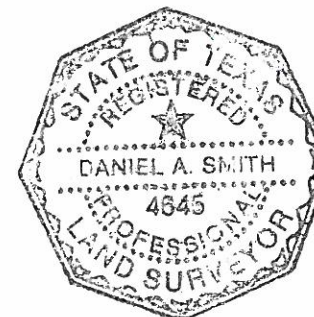
The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location, and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated.

THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN.

This survey was performed in connection with the transaction described in GF NO. 9713841BC of _____ COMMONWEALTH LAND _____ Title Co. Use of this survey for any other purpose or by any other parties shall be at their own risk and the undersigned is not responsible to others for any loss resulting therefrom.

REGISTERED PROFESSIONAL LAND SURVEYOR

Daniel A. Smith, R.P.L.S. No. 4645



DANIEL A. SMITH
 LAND SURVEYING, INC.
 4528 VIA VENTURA
 MESQUITE, TEXAS 75150
 PHONE (972) 226-4555 FAX (972) 226-4994

SCALE: 1" = 50'
 DATE: 4-24-98
 JOB NO.: DAS1114-A

REVISION NOTES

CITY OF ROCKWALL

ORDINANCE NO. 13-_____

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY ESTATE (SF-E/1.5) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING NOT MEETING THE EXTERIOR CLADDING REQUIREMENTS, ON THE PROPERTY LOCATED AT 1970 COPPER RIDGE CIRCLE, BEING A 1.5 ACRE PARCEL OF LAND DESCRIBED AS LOT 17, BLOCK B, STERLING FARMS ADDITION, CITY AND COUNTY OF ROCKWALL, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Kristen and Joshua Whitaker for a Specific Use Permit allowing for an accessory building not meeting the exterior cladding requirements within the Single-Family Estate (SF/E-1.5) District, on the property located at 1970 Copper Ridge Circle, being a 1.5 acre parcel of land described as Lot 17, Block B, Sterling Farms Addition, City and County of Rockwall, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for an accessory building not meeting the exterior cladding requirements within the Single-Family Estate (SF/E-1.5) District, on the property located at 1970 Copper Ridge Circle, being a 1.5 acre parcel of land described as Lot 17, Block B, Sterling Farms Addition, City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the following conditions:

- 1) The accessory building must conform to the approved site plan and building elevations depicted in Exhibits 'A' & 'B' of this ordinance.
- 2) The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof and at any time thereafter.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE ____ DAY OF _____, 2013.**

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

Exhibit A: Property Survey

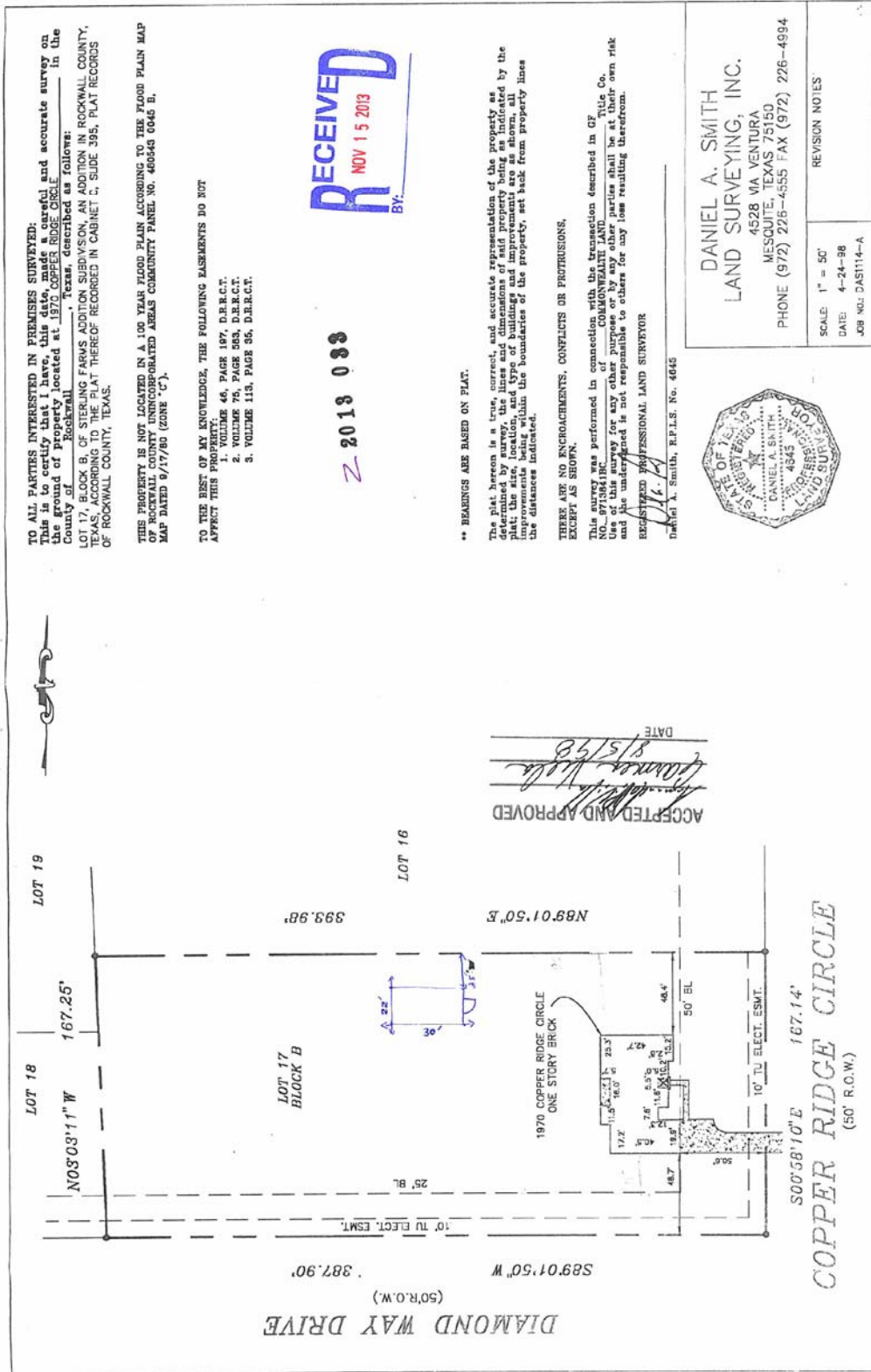
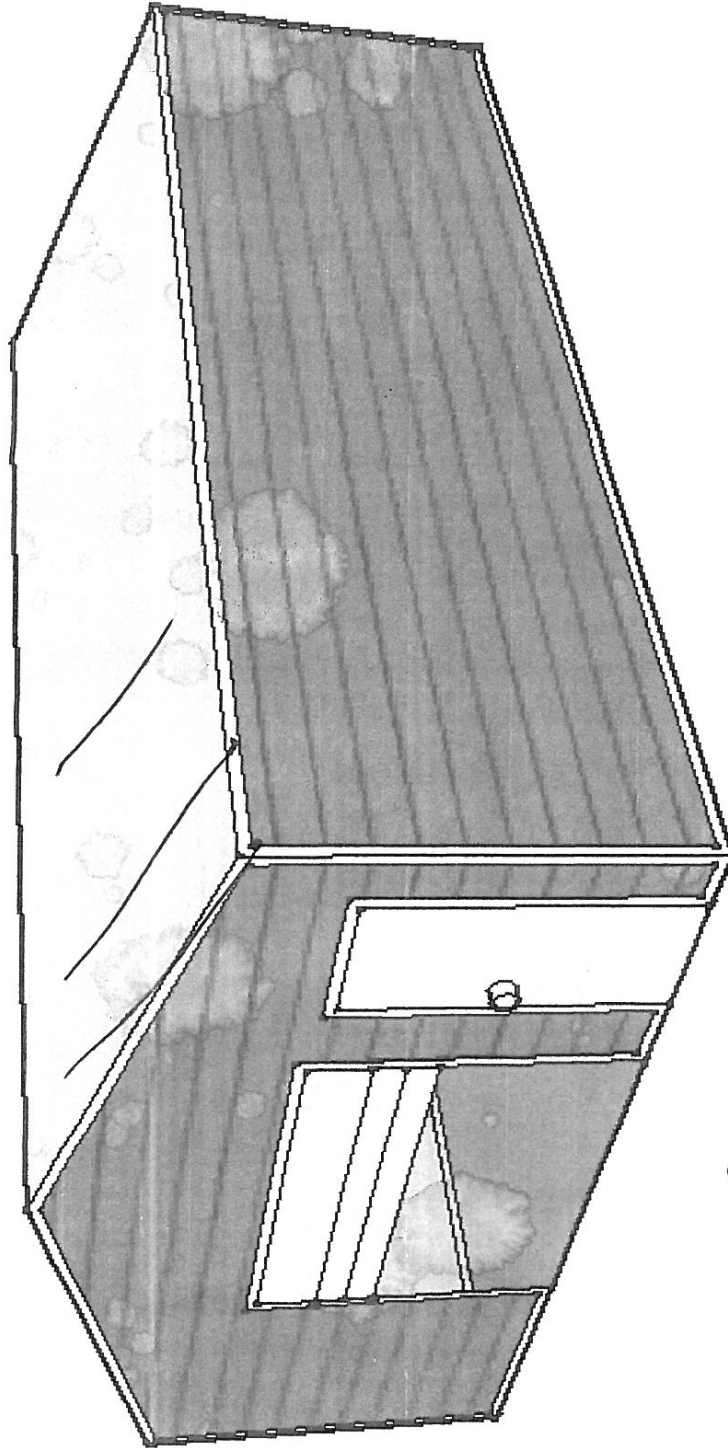


Exhibit B: Elevations

Sheet Metal: 29 Gauge Galvanized polyester painted
framing: 14 Gauge Galvanized
Concrete: 4" thick with 3/8 rebar with moisture barrier
8 to 12" footer around perimeter
Spray Foam: standard 2lb spray foam



22 x 30 x 9

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 12/16/2013

APPLICANT: John Spiars, Spiars Engineering, Inc.

AGENDA ITEM: Z2013-034; SUP for New Car Dealership

Hold a public hearing to discuss and consider a request by John Spiars on behalf of the owner the Cambridge Company, Inc. for the approval of a Specific Use Permit for a new car dealership on a 12.6114-acre tract of land being identified as a 5.0966-acre portion of Tract 2 of the J. Lockhart Survey, Abstract No. 134 and a 7.5148-acre portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located within the IH-30 Overlay (IH-30 OV) District and the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southwest corner of John King Boulevard and the IH-30 frontage road, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, John Spiars of Spiars Engineering, Inc., has submitted an application for a Specific Use Permit to allow for new car dealership within the Commercial (C) Zoning District. This site is also located within the IH-30 Overlay (IH-30 OV) and 205 By-Pass Overlay (205 BY-OV) Districts. Should the application be approved, the subject property will be subject to the standards established for both of these overlay districts. The proposed dealership will be situated on (2) two lots that contain a total of 12.6114-acres and are identified as a 5.0966-acre portion of Tract 2 of the J. Lockhart Survey, Abstract No. 134 and a 7.5148-acre portion of Tract 3 of the J.M. Allen Survey, Abstract No. 2. The property is located on the southwest corner of John King Blvd and IH-30.

The applicant has provided a conceptual site plan indicating a proposed building footprint, parking spaces, and two (2) points of ingress/egress. The site will be accessed from a shared drive with the Rockwall Honda location along the service road. The second point of access will be located approximately four-hundred (400) feet south of the intersection of IH-30 and John King Blvd. If approved, the project requires a full site plan review (including building elevations, landscape, treescape, and photometric plans), review and recommendation of the Architectural Review Board, Engineering review and submittal, and platting of the property prior to issuance of a building permit.

The John King Blvd Design Guidelines Concept Plan introduces an opportunity for a developer to provide enhancements along this corridor with key features that will serve as an image of the City of Rockwall. The applicant has submitted corner enhancement details for a Gateway Pylon with a Freestanding Wall Element in an effort to compliment the corridor as described within the John King Boulevard Design Guidelines. The Gateway Pylon provides the first of a possible four planned Gateway Identifying Pylons for this roadway and will be complemented with a Freestanding Wall Element. The Gateway Pylon provides a weathervane featuring the "Rockwall Sailboat" attached to a metal spire that reaches forty-five (45) foot overall height. The pylon and wall elements will incorporate a "chopped" limestone veneer with cast stone caps and decorated with accent trees, ornamental shrubbery, including seasonal colors, and ground

cover to soften the appearance. These elements will connect an 8-ft walkway/trail for pedestrians and cyclists with the exiting trail system at the Mansions which is located south of this particular site. If approved, staff would recommend tying the elements/details of the corner enhancement to the SUP, and more specifically for the request of a New Car Dealership for this property.

Provided with the application is a letter of request for the SUP indicating their intent to develop a new car dealership with used cars sales as an accessory use, and a service center for customer convenience. The applicant has also provided a letter of intent to construct the corner enhancements (e.g. Gateway Pylon & Freestanding Wall Element) as well as an eight (8) foot walkway/trail along John King Blvd at their expense. Based on the applicant's request for the SUP, the Planning and Zoning Commission and City Council would consider the proposed land use at this time as well as tying down the corner enhancement details to the SUP should the request be approved. A full site plan submittal, including recommendations from the Architectural Review Board, Engineering review, and platting would be considered at a future date.

NOTIFICATION:

A public notice has been published in the Rockwall County News, on the City's web-site, and a sign has been posted on the property. Also, notices have been mailed to three (3) property owners within 200-ft of the subject property as required by law. At time of this report, staff has received one (1) response "in favor of" and none "opposed to" the request.

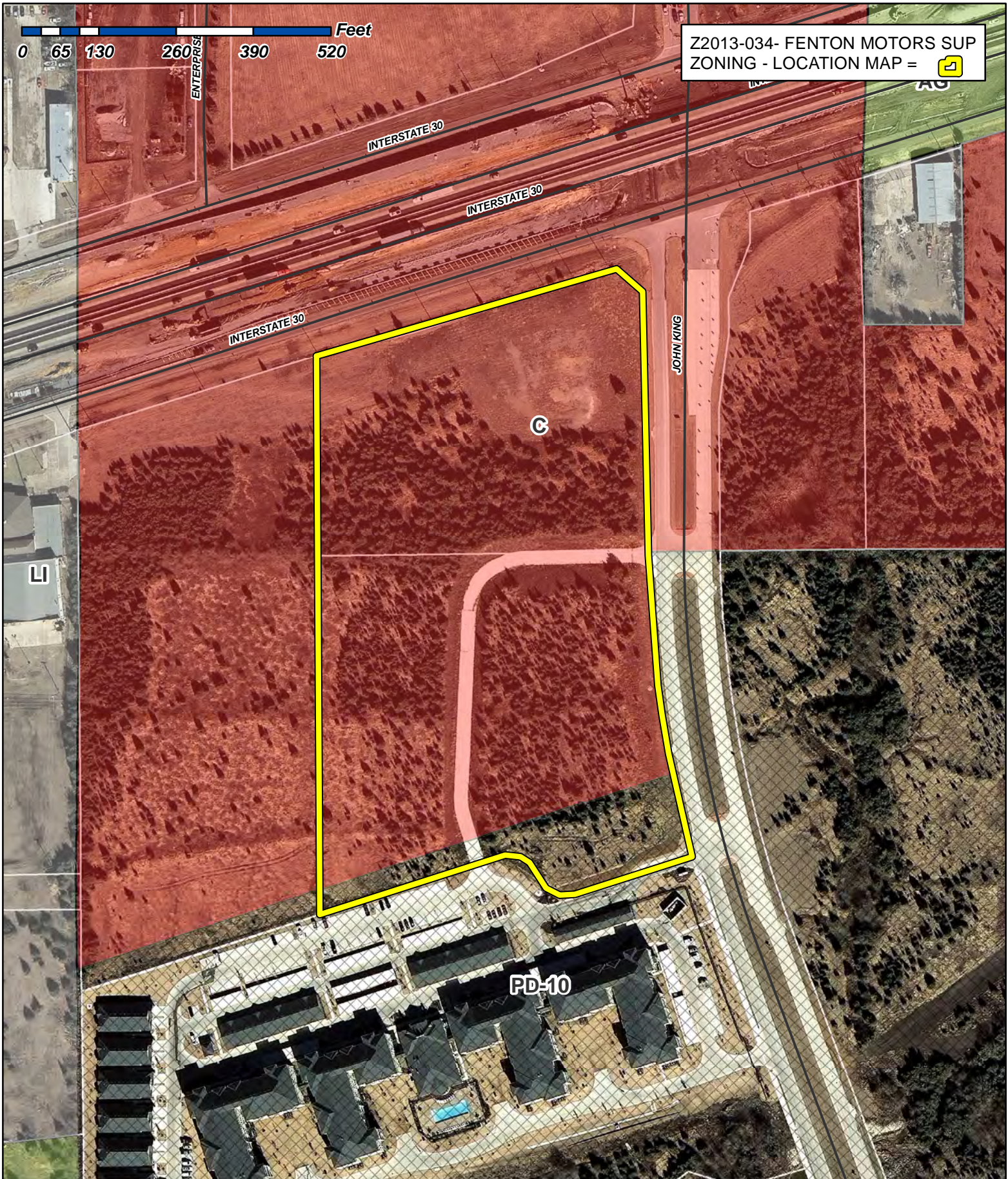
RECOMMENDATIONS:

Should the request be approved, Staff would offer the following conditions:

1. The SUP is for the proposed land use only (i.e. "Motor Vehicle Dealership, New").
2. Future site plan submittal and approval shall be required, including a recommendation from the Architectural Review Board.
3. Submittal and approval of engineering plans and final plat prior to the issuance of a building permit.
4. That the corner enhancement details (e.g. Gateway Pylon & Freestanding Wall Element) for John King Blvd be contained within an easement (i.e. Landscape) as indicated on the Concept Plan.
5. That the corner enhancement details (e.g. Gateway Pylon & Freestanding Wall Element) for John King Blvd be attached to the SUP as a requirement for new car dealerships.
6. The SUP shall expire if development has not commenced within three (3) years from the approval date of the SUP ordinance.

Planning and Zoning Commission Recommendation:

On December 10, 2013, the Planning and Zoning Commission recommended approval of the Specific Use Permit with staff conditions by a vote of 5 to 0 (McCutcheon & Conley – absent).



Z2013-034- FENTON MOTORS SUP
ZONING - LOCATION MAP =

0 65 130 260 390 520 Feet

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user. 131



1:2,500

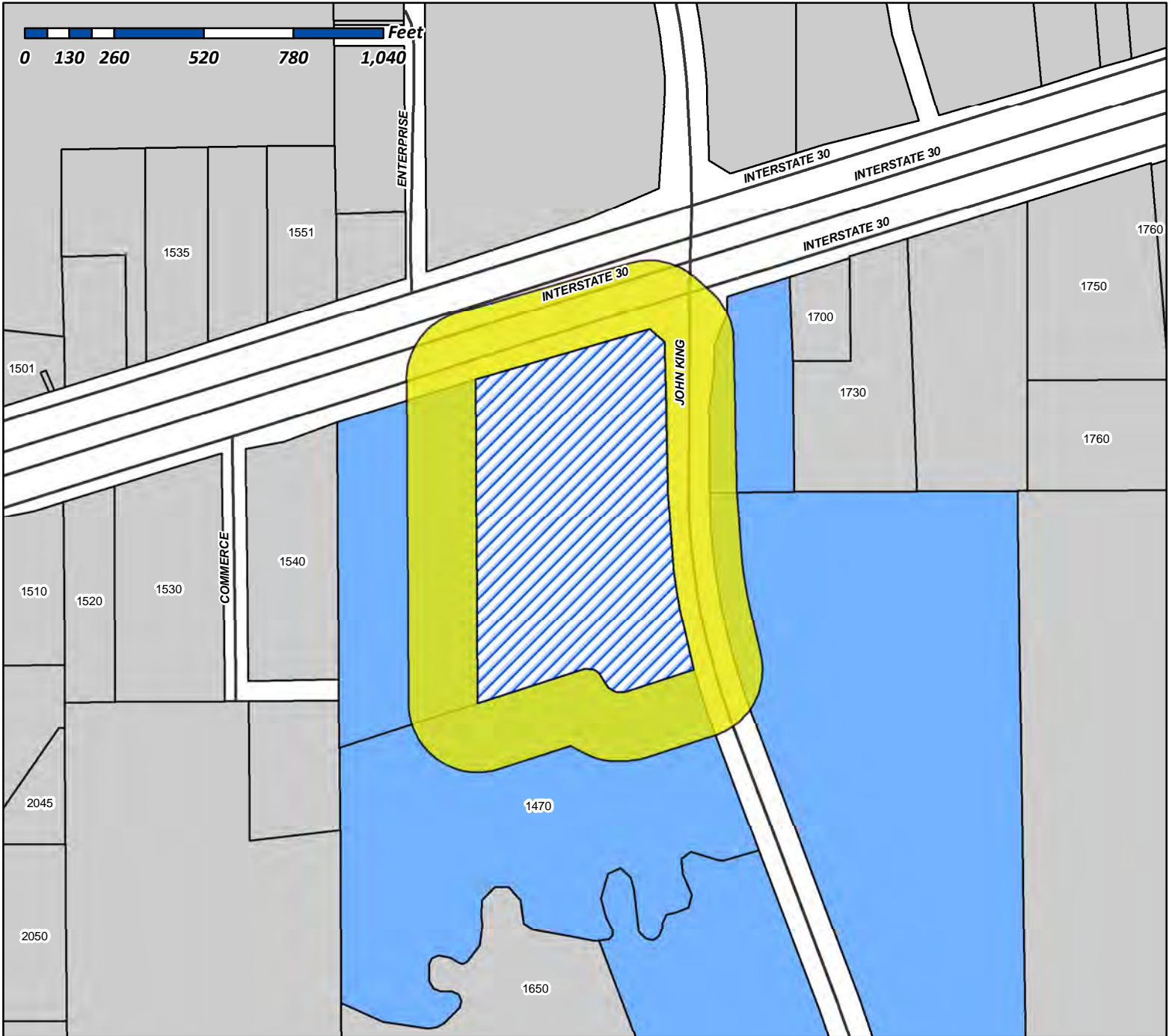
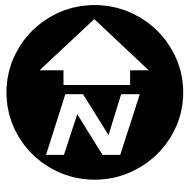




City of Rockwall

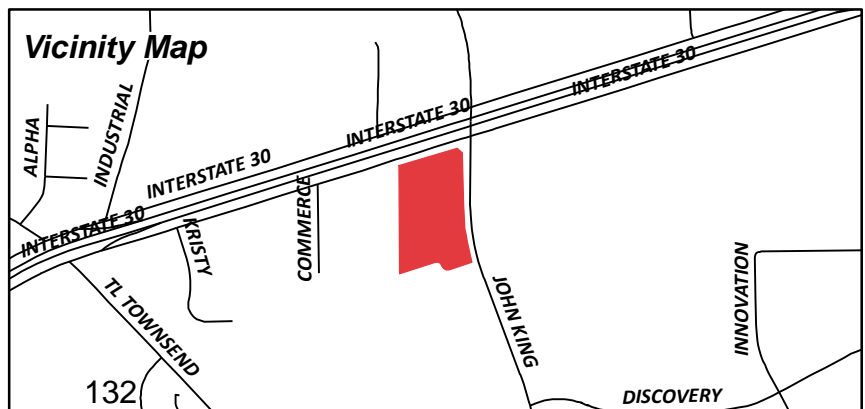
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2013-034
Case Name: Fenton Motors SUP
Case Type: Specific Use Permit
Zoning: Commercial
Case Address: SWC IH-30 & John King

Date Created: 11/19/2013
For Questions on this Case Call (972) 771-7745



CROSS_REF	Name	legal_desc	Address 1	Address 2	Address 3	City	State	Zip
0134-0000-0002-00-OR	CAMBRIDGE COMPANIES	A0134, J LOCKHART, TRACT 2, 8.363 ACRES (PT OF 62.6634 AC TR)		8235 DOUGLAS AVE		DALLAS	TX	75225
0134-0000-0002-00-OR	CAMBRIDGE COMPANIES	A0134, J LOCKHART, TRACT 2, 8.363 ACRES (PT OF 62.6634 AC TR)		8235 DOUGLAS AVE		DALLAS	TX	75225
4373-000A-0001-00-OR	WESTERN RIM INVESTORS 2008 2 LP	MANSIONS SENIOR ADDITION, BLOCK A, LOT 1, ACRES 18.1650		2505 N STATE HIGHWAY 360	STE 800	GRAND PRAIRIE	TX	75050
0002-0000-0003-00-OR	CAMBRIDGE PROPERTIES INC	A0002 J M ALLEN, TRACT 3, ACRES 54.3004 (PT OF 62.6634 AC TR)	C/O GARRETT POINDEXTER	8235 DOUGLAS AVE		DALLAS	TX	75225
0134-0000-0002-00-OR	CAMBRIDGE COMPANIES	A0134, J LOCKHART, TRACT 2, 8.363 ACRES (PT OF 62.6634 AC TR)		8235 DOUGLAS AVE		DALLAS	TX	75225
0134-0000-0002-00-OR	CAMBRIDGE COMPANIES	A0134, J LOCKHART, TRACT 2, 8.363 ACRES (PT OF 62.6634 AC TR)		8235 DOUGLAS AVE		DALLAS	TX	75225
3998-0001-0001-00-OR	REALTY HOLDINGS OF ROCKWALL LLC	HONDA OF ROCKWALL, BLOCK 1, LOT 1, ACRES 8.6860		1925 CEDAR SPRINGS ROAD	SUITE 204	DALLAS	TX	75201



NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT
 Phone: (972) 771-7745
 Email: Planning@Rockwall.com

6

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2013-034: Fenton Motors SUP

Hold a public hearing to discuss and consider a request by John Spiars on behalf of the owner the Cambridge Company, Inc. for the approval of a Specific Use Permit for a new car dealership on a 12.6114-acre tract of land being identified as a 5.0966-acre portion of Tract 2 of the J. Lockhart Survey, Abstract No. 134 and a 7.5148-acre portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located within the IH-30 Overlay (IH-30 OV) District and the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southwest corner of John King Boulevard and the IH-30 frontage road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 12/10/2013 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 12/16/2013 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
 Rockwall Planning and Zoning Dept.
 385 S. Goliad Street
 Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **12/16/2013** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
 Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: [HTTP://WWW.ROCKWALL.COM/PLANNING/ZONINGCHANGES.ASP](http://www.rockwall.com/planning/zoningchanges.asp)

----- PLEASE RETURN THE BELOW FORM -----

Case No. Z2013-034: Fenton Motors SUP

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

THE PROPERTY IS ZONED FOR THE INTENDED USE AND PROXIMITY TO I-30 IS A LOGICAL LOCATION FOR THIS USE.

Name: *GARY DETMANN*
 Address: *9235 DOUGLAS AVE SUITE 150 DALLAS, TX 75225*

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

November 14, 2013

Robert LaCroix
City of Rockwall
385 S Goliad St
Rockwall, TX 75087

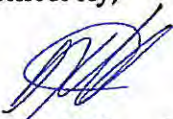
RE: Special Use Permit
SWC of IH-30 and John King Blvd

Dear Robert:

This letter will outline the purpose of the Special Use Permit (SUP) to operate a new/used automobile dealership and service facility at the SWC of IH-30 and John King Blvd in Rockwall, Texas. Fenton Motor Group, LLC currently owns twenty dealership locations in Texas, Oklahoma, Kansas and Missouri. We represent every major non-luxury manufacturer that has operations in the United States as well as one luxury manufacturer. Through these relationships we are constantly in contact with manufacturers about their expansion plans. In recent discussions about expansion plans Fenton Motors has been approached with another opportunity for the Rockwall, Texas market hence the application for the SUP. We feel that this proves up our original decision to pursue the Rockwall, Texas market in that it is a vibrant growth market with strong demographics.

We look forward to working with the City of Rockwall on this SUP application.

Sincerely,



Gary Halbrooks
Fenton Motor Group

Letter of Authorization

This Letter hereby authorizes John Spiars with Spiars Engineering and/or Gary Halbrooks with Venue Properties, Inc. to represent the Owner (The Cambridge Companies, Inc.; Trustee on behalf of Webb Rhoades Associates, Ltd. And Garrett-Poindexter Associates, L.P.) and/or Buyer (Fenton Motor Group, LLC) in any and all zoning matters as it relates to the property as shown on attached Exhibit A.

OWNER

The Cambridge Companies, Inc.; Trustee on behalf of
Webb Rhoades Associates, Ltd. And Garrett-Poindexter Associates, L.P.

By: *John Spiars*
Its: *Vice President*

BUYER

Lance Fenton
Fenton Motor Group, LLC.

By: *Lance Fenton*
Its: *Managing Member*

BEING all that certain lot, tract or parcel of land situated in the J. Lockhart Survey, Abstract No. 134 and the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas and being a portion of a tract of land described as Tract A in deed to the Cambridge Companies, Inc. Trustee recorded in Volume 101 at Page 795 of the Deed Records of Rockwall County, and being a portion of a tract of land described as Tract B in deed to the Cambridge Companies, Inc. Trustee recorded in Volume 99, Page 1022, Deed Records of Rockwall County and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with yellow cap found for corner in the Southeast right-of-way line of Interstate Highway No. 30 (a variable width right-of-way), for the Northwest corner of said Cambridge Companies, Inc. Trustee recorded in Volume 101 at Page 795 of the Deed Records of Rockwall County, Texas, same being the called Northeast corner of a the 8.686 acre tract conveyed to Glocal Development, LLC, a Delaware limited liability Company, by Deed recorded in Instrument No. 2007-00385473 of the Deed Records of Rockwall County, Texas;

THENCE North 72° 46' 20" East along the said Southeast right-of-way line of Interstate Highway No. 30 and being common to the Northerly line of aforesaid Tract A, for a distance of 412.71 feet to a broken concrete monument found for corner;

THENCE North 73° 11' 37" East and continuing along the said Southeast right-of-way line of Interstate Highway No. 30 and common to the Northerly line of aforesaid Tract A, for a distance of 99.67 feet to a 5/8" iron rod with yellow cap found for the Northwest end of a corner clip at the intersection of said Southeast right-of-way line of Interstate Highway 30 and State Highway No. 205 Extension;

THENCE South 52° 50' 14" East and departing the said Southeast right-of-way line of Interstate Highway 30 and following along said corner clip for a distance of 74.20 feet to a 5/8" iron rod with yellow cap found corner in the Westerly line of said State Highway No. 205 Extension;

THENCE South 00° 20' 36" East along the Westerly line of said State Highway No. 205 Extension for a distance of 89.97 feet to a 5/8" iron rod with yellow cap found for corner;

THENCE South 03° 30' 47" East and continuing along the Westerly line of said State Highway No. 205 Extension for a distance of 100.08 feet to a 5/8" iron rod with the yellow cap found for corner;

THENCE South 00° 20' 18" East and continuing along the Westerly line of said State Highway No. 205 Extension for a distance of 229.06 feet to a 5/8" iron rod with yellow cap found corner in the common line of aforesaid Tract A and Tract B, same being the beginning of a curve to the left having a radius 2010.00 with a central angle 15° 17' 59" and a chord bearing South 07° 59' 18" East at a distance of 535.14 feet;

THENCE Southeasterly along said curve to the left and the Westerly line of said State Highway No. 205 Extension, for a an arc distance of 536.73 feet to a 5/8" iron rod set for corner,

THENCE South 72° 08' 06" West and departing the Westerly line of said State Highway No. 205 Extension for a distance of 207.90 feet to a 5/8" iron rod set for corner, same being the beginning of a

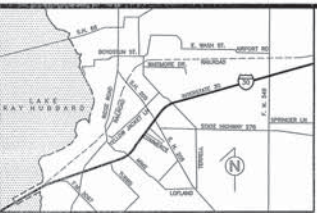
curve to the left having a radius 50.00 with a central angle $90^{\circ} 00' 00''$ and a chord bearing North $62^{\circ} 51' 54''$ West at a distance of 70.71 feet;

THENCE Northwesterly along said curve to the right, for an arc distance of 78.54 feet to a $5/8''$ iron rod set for corner, same being the beginning of a reverse curve to the left having a radius 50.00 with a central angle $90^{\circ} 00' 00''$ and a chord bearing North $62^{\circ} 51' 54''$ West at a distance of 70.71 feet;

THENCE Northwesterly along arc of said curve to the left for an arc distance of 78.54 feet to a $5/8''$ iron rod set for corner;

THENCE South $72^{\circ} 08' 06''$ West for a distance of 316.96 feet to a $5/8''$ iron rod set for corner, same being the common Southeast corner of aforementioned 8.686 acre Glocal Development tract;

THENCE North $00^{\circ} 20' 58''$ West along the Easterly line of aforementioned 8.686 acre Glocal Development tract and passing at a distance of 612.35 feet along the common line of aforementioned Tract A and Tract B, and continuing along the Easterly line of aforementioned 8.686 acre Global development tract, for a total distance of 939.54 feet to the POINT OF BEGINNING and CONTAINING 12.6114 ACRES OF LAND, more or less.



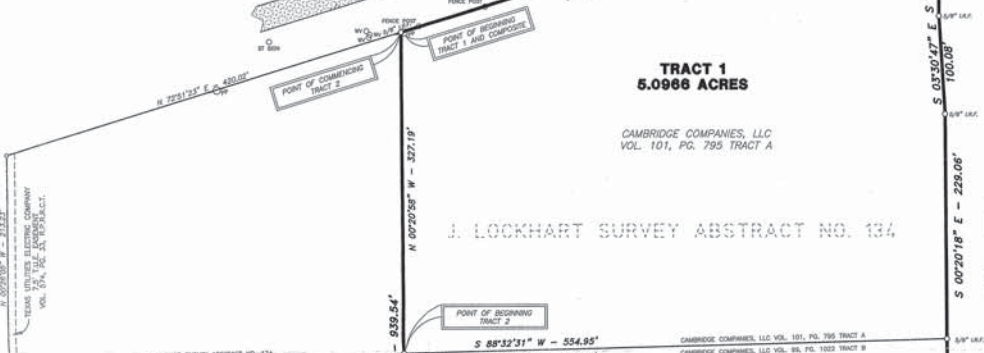
GRAPHIC SCALE: 1"=60'

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INTERSTATE HIGHWAY NO. 30

(VARIABLE WIDTH RIGHT-OF-WAY)

EAST BOUND SERVICE ROAD



12.6114 ACRES COMPOSITE

J. M. ALLEN SURVEY ABSTRACT NO. 2

S. H. 205 EXTENSION

- NOTES
1. The survey of the property shown herein was prepared with benefit of First American Title Insurance Company, Commitment # 188, Insurance, Of No. 2763224 S.H., effective 6th October 4, 2007, and according to Schedule B, the following are listed as "Exceptions From Coverage":
 - a. Easement granted by Clifford H. Cornett et al to Shobbery Water Supply Corporation, filed 05/16/1986, recorded in Volume 70, Page 233, Real Property Records of Rockwall County, Texas. (Easement cited see office of subject property)
 - b. Easement granted by Anita C. Cornett et al to Lone Star Oil Company, filed 08/27/1966, recorded in Volume 76, Page 450, Real Property Records of Rockwall County, Texas. (Easement cited see office of subject property)
 - c. Easement granted by the Cambridge Companies, Inc., Trustee to T&J Oil Company, filed 03/07/2005, recorded in Volume 214, Page 257, Real Property Records of Rockwall County, Texas. (Easement cited see office of subject property)
 - d. Easement granted by the Cambridge Companies, Inc., Trustee to Texas Utilities Electric Company, filed 10/19/1990, recorded in Volume 274, Page 33, Real Property Records of Rockwall County, Texas. (Easement cited see office of subject property)
 - e. Amended and Restated Pipeline easement granted by the Cambridge Companies, Inc., Trustee to Amco Energy Corporation, filed 04/20/2007, recorded in Volume 2033, Page 207, Real Property Records of Rockwall County, Texas. (Easement cited see office of subject property)
 - f. Drilling easement granted by the Cambridge Companies, Inc., Trustee to Global Development, LLC, filed 09/13/2007, recorded in Volume 2214, Page 313, Real Property Records of Rockwall County, Texas. (Easement cited see office of subject property)

SURVEY PLAN
TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:
This is to certify that I have, this date, made a careful and accurate survey on the ground of the following being described in three tracts of land as follows:

COMPOSITE TRACT
BEGINS at that certain lot, tract or parcel of land situated in the J. Lockhart Survey, Abstract No. 134 and the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas and being a portion of a tract of land described as Tract A in deed to the Cambridge Companies, Inc. Trustee recorded in Volume 101 at Page 795 of the Deed Records of Rockwall County, Texas and being a portion of a tract of land described as Tract B in deed to the Cambridge Companies, Inc. Trustee recorded in Volume 99, Page 1022 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with yellow cap found corner in the Southeast right-of-way line of Interstate Highway No. 30 (a variable width right-of-way), for the Northwest corner of said Cambridge Companies, Inc. Trustee recorded in Volume 101 at Page 795 of the Deed Records of Rockwall County, Texas, some being the northeast corner of a the 8.686 acre tract conveyed to Global Development, LLC, a Delaware limited liability company, by deed recorded in instrument No. 2007-0038473 of the Deed Records of Rockwall County, Texas;

THENCE North 72° 44' 20" East and departing the said Southeast right-of-way line of Interstate Highway No. 30 and being common to the Northerly line of above-said Tract A, for a distance of 412.71 feet to a broken concrete monument found for corner;

THENCE North 71° 11' 37" East and continuing along the said Southeast right-of-way line of Interstate Highway No. 30 and common to the Northerly line of above-said Tract A, for a distance of 98.67 feet to a 5/8" iron rod with yellow cap found for the Northwest end of a corner city at the intersection of said Southeast right-of-way line of Interstate Highway No. 30 and State Highway No. 205 Extension;

THENCE South 82° 30' 14" East and departing the said Southeast right-of-way line of Interstate Highway No. 30 and following along said corner city for a distance of 74.20 feet to a 5/8" iron rod with yellow cap found corner in the Westerly line of said State Highway No. 205 Extension;

THENCE South 02° 30' 34" East along the Westerly line of said State Highway No. 205 Extension, for a distance of 89.97 feet to a 5/8" iron rod with yellow cap found for corner;

THENCE South 02° 30' 34" East and continuing along the Westerly line of said State Highway No. 205 Extension for a distance of 100.00 feet to a 5/8" iron rod with yellow cap found for corner;

THENCE South 02° 30' 14" East and continuing along the Westerly line of said State Highway No. 205 Extension for a distance of 229.08 feet to a 5/8" iron rod with yellow cap found corner in the common line of above-said Tract A and Tract B, some being the beginning of a curve to the left having a radius 2010.00 with a central angle 10° 17' 59" and a chord bearing South 07° 59' 18" East at a distance of 833.14 feet;

THENCE Southeasterly along said curve to the left and the Westerly line of said State Highway No. 205 Extension, for an arc distance of 536.73 feet to a 5/8" iron rod set for corner;

THENCE South 72° 06' 04" West and departing the Westerly line of said State Highway No. 205 Extension for a distance of 207.80 feet to a 5/8" iron rod set for corner, some being the beginning of a curve to the left having a radius 50.00 with a central angle 90° 00' 00" and a chord bearing North 82° 51' 54" West at a distance of 70.71 feet;

THENCE Northeasterly along said curve to the right, for an arc distance of 78.54 feet to a 5/8" iron rod set for corner, some being the beginning of a reverse curve to the left having a radius 50.00 with a central angle 90° 00' 00" and a chord bearing North 82° 51' 54" West at a distance of 70.71 feet;

THENCE Northeasterly along one of said curve to the left, for an arc distance of 78.54 feet to a 5/8" iron rod set for corner;

THENCE South 72° 06' 04" West for a distance of 316.96 feet to a 5/8" iron rod set for corner, some being the common Southeast corner of aforementioned 8.686 acre Global Development tract;

THENCE North 02° 30' 34" West along the Easterly line of aforementioned 8.686 acre Global Development tract and ending at a distance of 612.35 feet along the common line of aforementioned Tract A and Tract B, and continuing along the Easterly line of aforementioned 8.686 acre Global Development tract, for a total distance of 833.14 feet to the POINT OF BEGINNING and CONTAINING 12.6114 ACRES OF LAND, more or less.

TRACT 1
BEGINS at that certain lot, tract or parcel of land situated in the J. Lockhart Survey, Abstract No. 134 and being a portion of a tract of land described in deed as Tract A to the Cambridge Companies, Inc. Trustee recorded in Volume 101 at Page 795 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with yellow cap found corner in the Southeast right-of-way line of Interstate Highway No. 30 (a variable width right-of-way), some being the northeast corner of a called 8.686 acre tract conveyed to Global Development, LLC, a Delaware limited liability company, by deed recorded in instrument No. 2007-0038473 of the Deed Records of Rockwall County, Texas;

THENCE North 72° 44' 20" East and departing the Easterly line of said 8.686 acre Global Development tract and along the said Southeast right-of-way line of Interstate Highway No. 30 and common to the Northerly line of above-said Tract A, for a distance of 412.71 feet to a broken concrete monument found for corner;

THENCE North 71° 11' 37" East and continuing along the said Southeast right-of-way line of Interstate Highway No. 30 and common to the Northerly line of above-said Tract A, for a distance of 98.67 feet to a 5/8" iron rod with yellow cap found corner at the intersection of said Southeast right-of-way line of Interstate Highway No. 30 and State Highway No. 205 Extension;

THENCE South 82° 30' 14" East and departing said Southeast right-of-way line of Interstate Highway No. 30 along said corner city, for a distance of 74.20 feet to a 5/8" iron rod with yellow cap found corner in the Westerly line of said State Highway No. 205 Extension;

THENCE South 02° 30' 34" East and continuing along the Westerly line of said State Highway No. 205 Extension, for a distance of 89.97 feet to a 5/8" iron rod with yellow cap found for corner;

THENCE South 02° 30' 34" East and continuing along the Westerly line of said State Highway No. 205 Extension, for a distance of 100.00 feet to a 5/8" iron rod with yellow cap found for corner;

THENCE South 02° 30' 14" East and continuing along the Westerly line of said State Highway No. 205 Extension, for a distance of 229.08 feet to a 5/8" iron rod with yellow cap found corner in the South line of above-said Tract A and the North line of a tract of land described in deed as Tract B to the Cambridge Companies, Inc. Trustee recorded in Volume 99, Page 1022, Deed Records of Rockwall County, Texas;

THENCE South 82° 30' 14" East and departing the Westerly line of said State Highway No. 205 Extension, for a distance of 207.80 feet to a 5/8" iron rod set for corner, some being in the Easterly line of aforementioned 8.686 acre Global Development tract;

THENCE North 02° 30' 34" West and departing the common line of above-said Tract A and Tract B, and ending at a distance of 612.35 feet to the POINT OF BEGINNING and CONTAINING 5.0966 ACRES OF LAND, more or less.

TRACT 2
BEGINS at that certain lot, tract or parcel of land situated in the J. M. Allen Survey, Abstract No. 2 and being a portion of a tract of land described in deed as Tract B to the Cambridge Companies, Inc. Trustee recorded in Volume 99 at Page 1022 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

COMINGING at a 5/8" iron rod with yellow cap found corner in the southeast right-of-way line of Interstate Highway No. 30 (a variable width right-of-way), some being the northeast corner of a called 8.686 acre tract conveyed to Global Development, LLC, a Delaware limited liability company, by deed recorded in instrument No. 2007-0038473 of the Deed Records of Rockwall County, Texas;

THENCE South 02° 30' 34" East and departing the Southeast right-of-way line of Interstate Highway No. 30, and along the Easterly line of said 8.686 acre Global Development tract, for a distance of 327.19 feet to a 5/8" iron rod set for corner to the POINT OF BEGINNING for this description, some being in the North line of above-said Tract B and the common South line of a tract of land described in deed as Tract A to the Cambridge Companies, Inc. Trustee recorded in Volume 101 at Page 795 of the Deed Records of Rockwall County, Texas;

THENCE North 82° 31' 31" East and departing said Easterly line of said 8.686 acre Global Development tract, and along the common line of said Tract A and Tract B, for a distance of 554.85 feet to a 5/8" iron rod with yellow cap found corner in the Westerly line of State Highway No. 205 Extension, some being the beginning of a curve to the left having a radius 2010.00 with a central angle 10° 17' 59" and a chord bearing South 07° 59' 18" East at a distance of 833.14 feet;

THENCE Southeasterly along one of said curve to the left and the Westerly line of said State Highway No. 205 Extension, for an arc distance of 536.73 feet to a 5/8" iron rod set for corner;

THENCE South 72° 06' 04" West and departing the Westerly line of said State Highway No. 205 Extension, for a distance of 207.80 feet to a 5/8" iron rod set for corner, some being the beginning of a curve to the left having a radius 50.00 with a central angle 90° 00' 00" and a chord bearing North 82° 51' 54" West at a distance of 70.71 feet;

THENCE Northeasterly along one of said curve to the right, for an arc distance of 78.54 feet to a 5/8" iron rod set for corner, some being the beginning of a reverse curve to the left having a radius 50.00 with a central angle 90° 00' 00" and a chord bearing North 82° 51' 54" West at a distance of 70.71 feet;

THENCE Northeasterly along one of said curve to the left, for an arc distance of 78.54 feet to a 5/8" iron rod set for corner;

THENCE South 72° 06' 04" West for a distance of 316.96 feet to a 5/8" iron rod set for corner, some being the Southeast corner of aforementioned 8.686 acre Global Development tract;

THENCE North 02° 30' 34" West along the Easterly line of aforementioned 8.686 acre Global Development tract, for a distance of 612.35 feet to the POINT OF BEGINNING and CONTAINING 7.5148 ACRES OF LAND, more or less.

SURVEYOR'S CERTIFICATE
TO: Fred Kahler, his successors and assigns, The Cambridge Companies, Inc., Trustee on behalf of Garrett-Paindoler Associates, L.P. and Webb Rhodes Associates, Ltd., Republic Title of Texas, Inc. and First American Title Insurance Company
I hereby certify that on the 9th day of October, 2007, this survey was made on the ground as per the field notes shown on this survey and it is true, correct and accurate as to the boundaries and areas of the subject property, and as to all other matters shown herein, and correctly shows the location of all improvements, encroachments, problems, building lines, fences, streets, rights-of-way, easements and any other matters of record (with the recording information identified), or of which I have knowledge or have been advised, whether or not of record, affecting the subject property.
Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets or alleys by any improvements on the subject property and there are no covenants or restrictions.
Except as shown herein, the location of the subject property is located in the 100-year flood plain, as identified "Flood prone area", as defined by the U.S. Department of Housing and Urban Development, pursuant to the Flood Disaster Protection Act of 1973, as amended, or in an area identified by the Federal Emergency Management Agency as an area having special flood hazards.
I agree to and agree from the subject property may be provided by Interstate Highway No. 30 and State Highway No. 205 Extension as shown, being a public right-of-way maintained by City of Rockwall and State of Texas.
The total gross acreage of land within the boundaries of the subject property is as shown herein.
Plotted building set back lines affecting the subject property, if any, are located as shown on this survey.
This survey complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition B Survey.



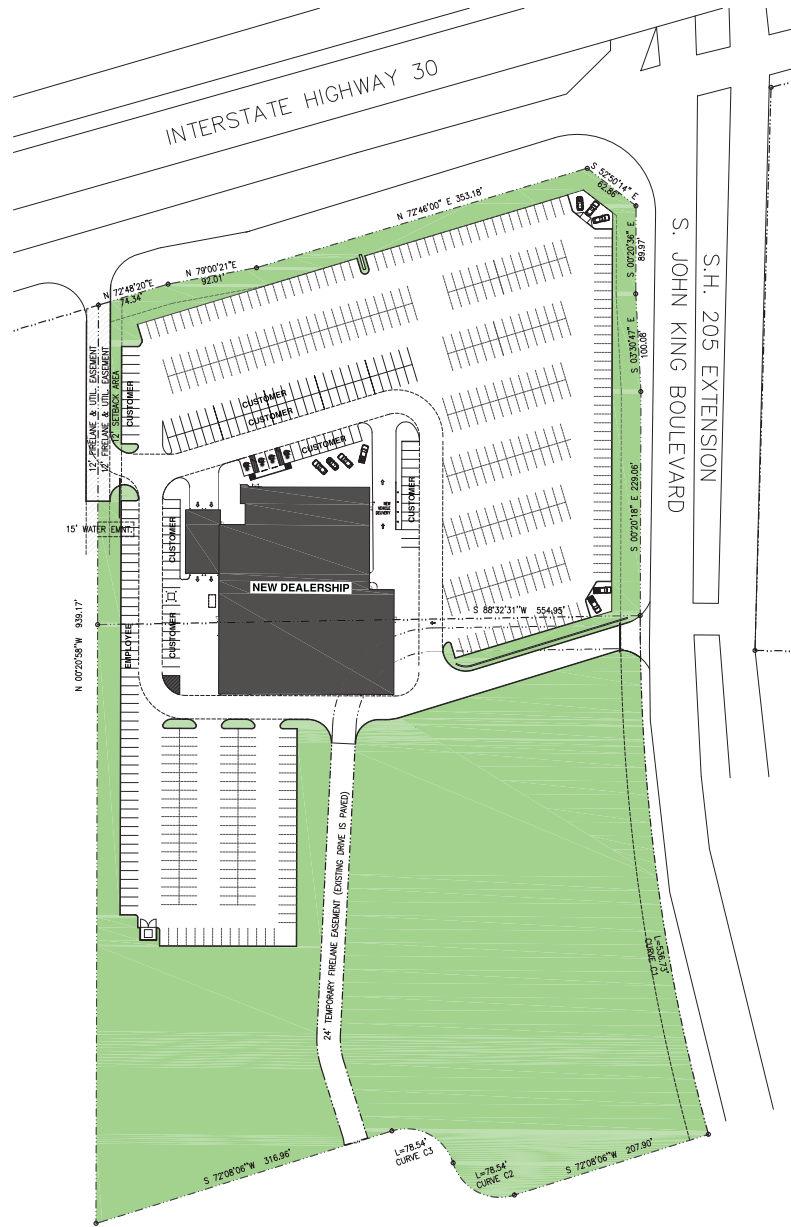
LAND TITLE SURVEY
12.6114 ACRES OF LAND
J. LOCKHART SURVEY, ABST. NO. 134
J. M. ALLEN SURVEY, ABST. NO. 2
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BY: DAVID PETREE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1890
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PH: (214) 358-4500
FX: (214) 358-4600

DATE: OCTOBER 8, 2007
SCALE: 1"=60'

~ CURVE TABLE ~

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
C1	2010.00'	15°17'59"	536.73'	S 07°59'18" E	535.14'
C2	50.00'	90°00'00"	78.54'	N 82°51'54" W	70.71'
C3	50.00'	90°00'00"	78.54'	N 82°51'54" W	70.71'



PARKING:
155 STANDARD STALLS

DISPLAY PARKING:
446 STALLS

TOTAL: 601 STALLS

A
1A1 PROPOSED SITE PLAN
SCALE 1" = 60'-0"

XREF-Layout 4



THIS DRAWING IS THE PROPERTY OF BOYNTON WILLIAMS & ASSOCIATES. THE DRAWING(S) OR INFORMATION DEPICTED SHALL NOT BE REPRODUCED OR USED WITHOUT WRITTEN PERMISSION OF THE ARCHITECT.

Boynton-Williams & Associates

**ARCHITECTURE
PLANNING
INTERIORS**

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Dallas, Texas 75234
P 972-661-5461
F 972-661-5449

bwaarchitects.com
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FENTON NISSAN OF ROCKWALL
- New Construction
NEAR S.W. CORNER OF IH-30 AND S. JOHN KING BLVD.
ROCKWALL, TEXAS

PROPOSED SITE PLAN

Revisions	
Issue Date	11.14.13
Project No.	D13049
Sheet No.	1A1



VIA EMAIL

December 4, 2013

Mr. David Gonzales
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

RE: SUP Application for Fenton Motor Group, LLC
SWC of IH-30 and John King Blvd
Rockwall, Texas

Dear David:

Please let this letter serve as notice that Fenton Motor Group, LLC (Fenton) hereby commits to construct at its expense the attached Gateway Pylon Concept (Exhibit A), Freestanding Wall Element (Exhibit A) and an eight (8) foot wide sidewalk (Exhibit B) {collectively referred to as Design Elements) as called for in the John King Blvd. Design Concept Plan dated September 2009 as part of its application for a Special Use Permit (SUP). Construction of the Design Elements will be subject to approval of the SUP as well as all other governmental approvals required for the construction of an automobile dealership and service facility. The Design Elements will be constructed when the automobile and service facility are constructed.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. Halbrooks", written over a circular blue stamp or watermark.

Gary Halbrooks
Fenton Motor Group, LLC



S. JOHN KING BLVD. - SH. 205 BY-PASS

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of Architects

3010 LBJ FREEWAY
SUITE 110
DALLAS, TX. 75234
972-661-5461
FAX 972-661-5449

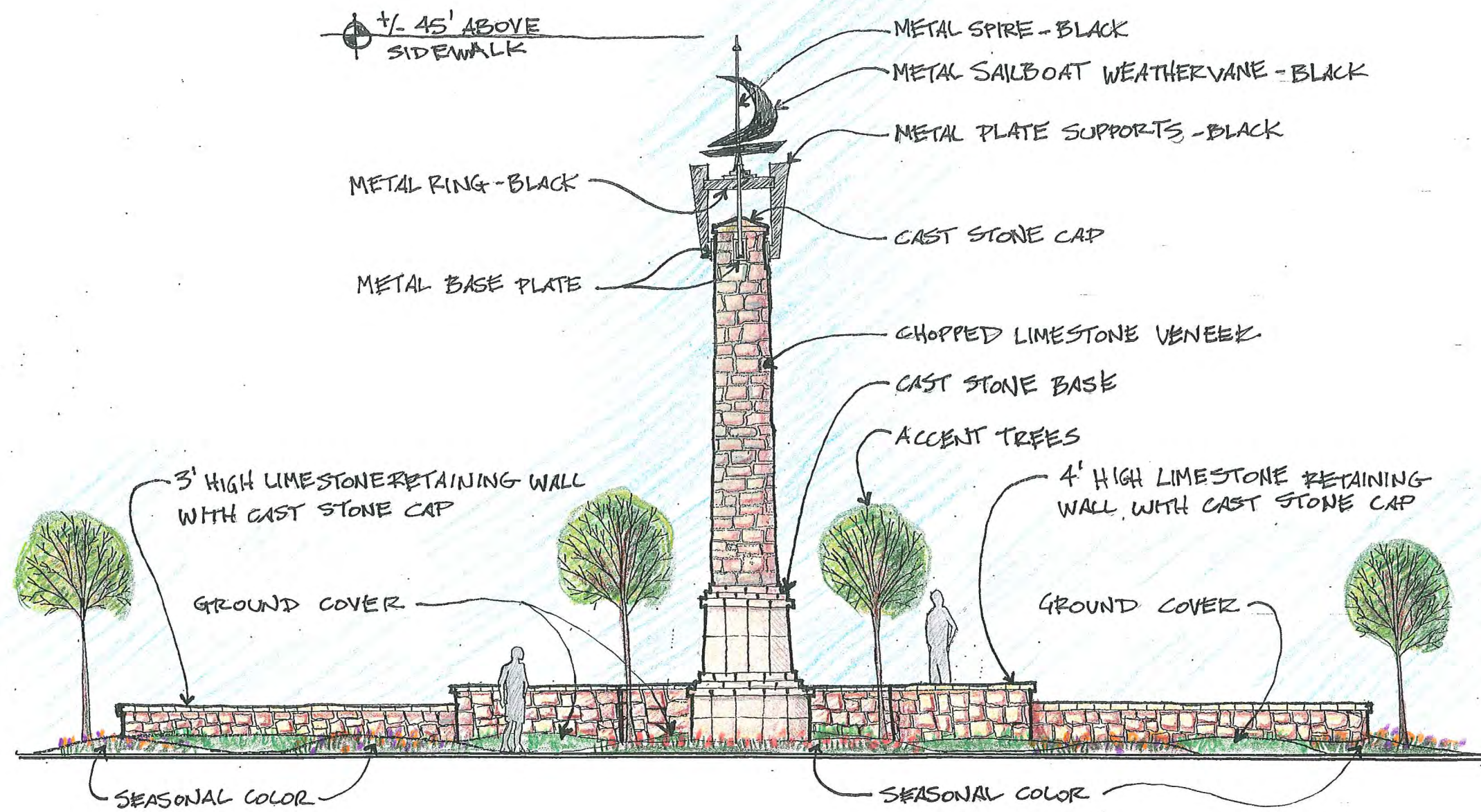
FENTON MOTOR GROUP - ROCKWALL
GATEWAY SITE LANDSCAPE CONCEPT

NOT TO SCALE

DATE: 12/04/2013

D13049





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of Architects

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DALLAS, TX. 75234
972-661-5461
FAX 972-661-5449

**FENTON MOTOR GROUP - ROCKWALL
GATEWAY PYLON CONCEPT**

NOT TO SCALE

DATE: 12/04/2013

D13049

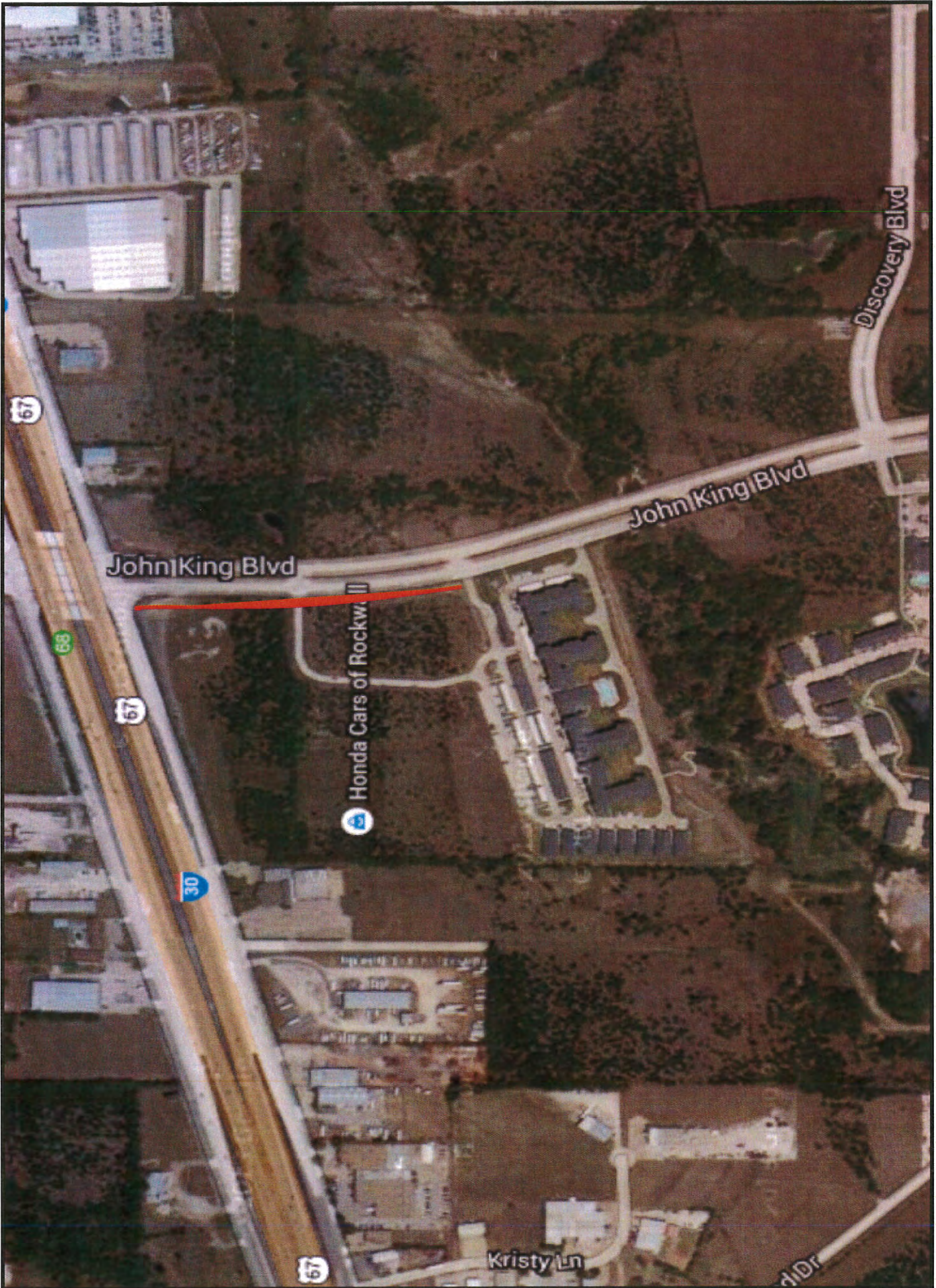
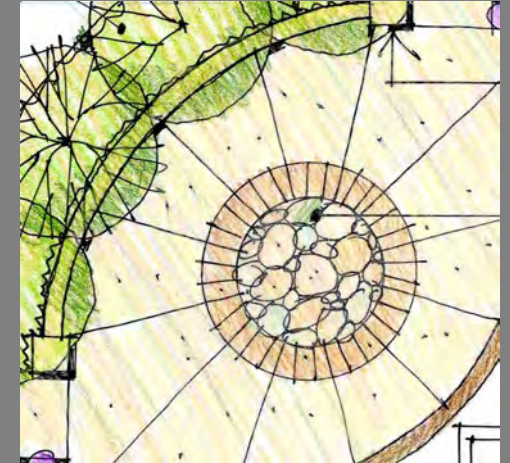


Exhibit B:
8' wide sidewalk extension

ROCKWALL

JOHN KING BLVD. DESIGN CONCEPT PLAN



City of Rockwall, Texas

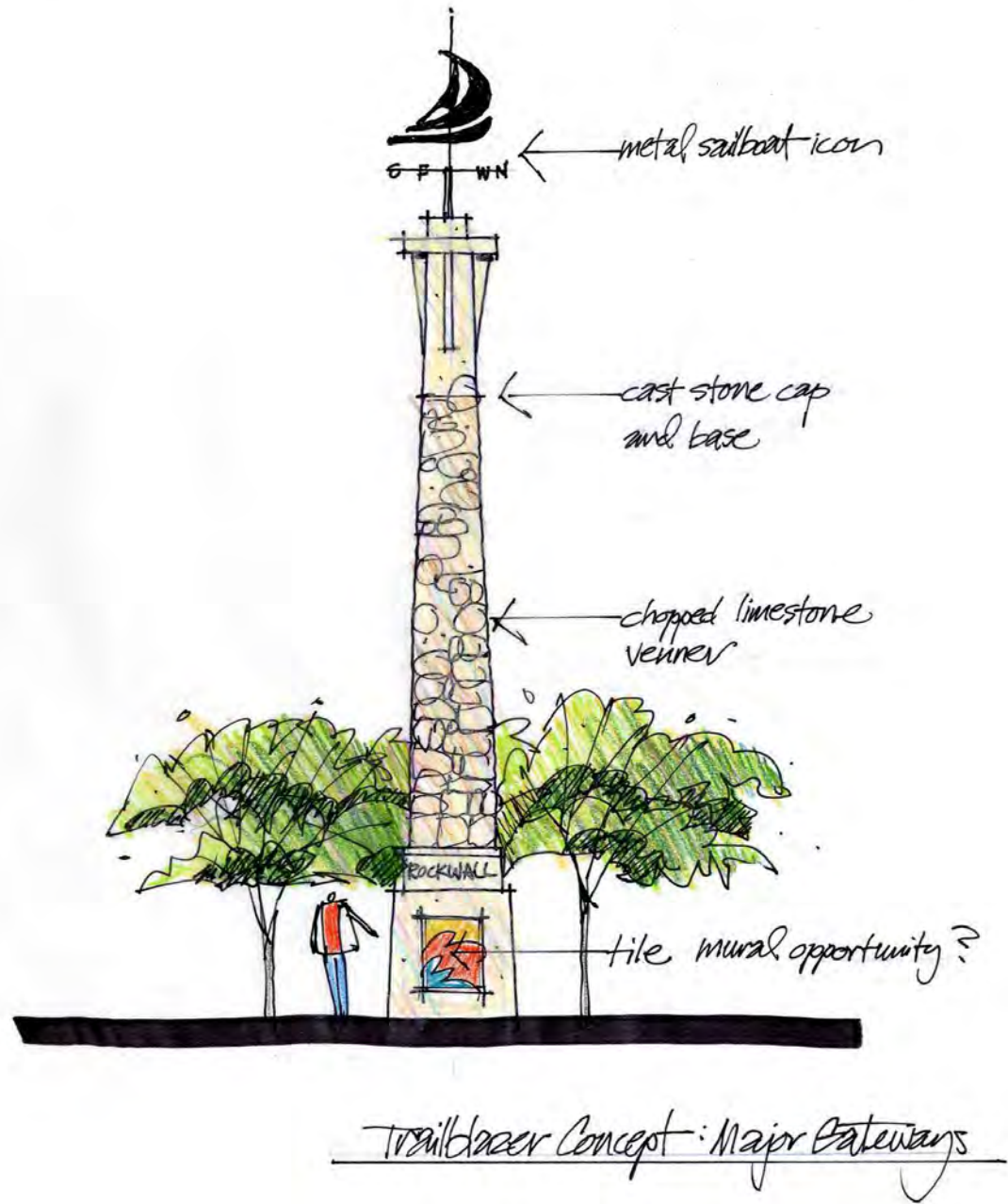
September 2009

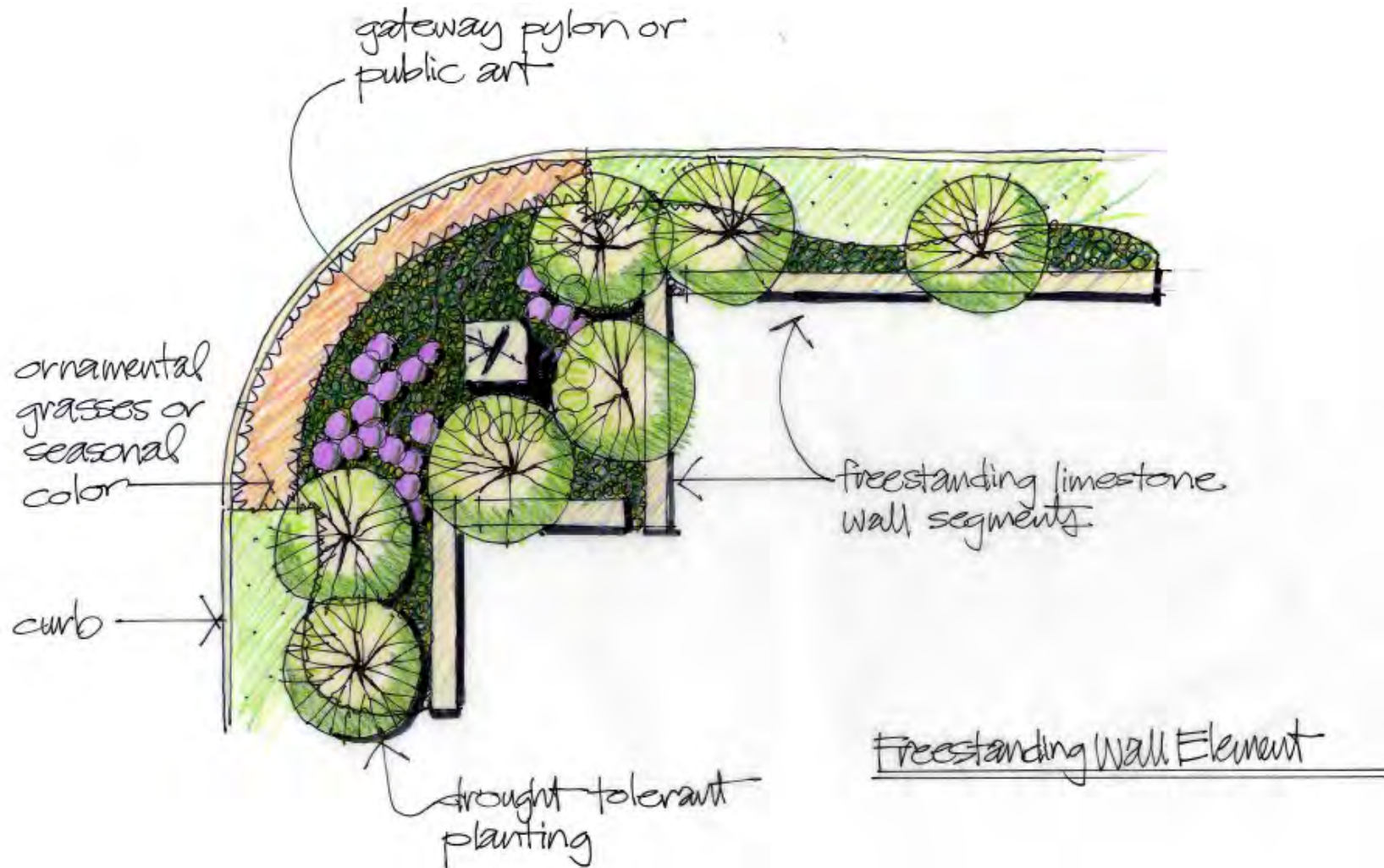
TOWNSCAPE, Inc.

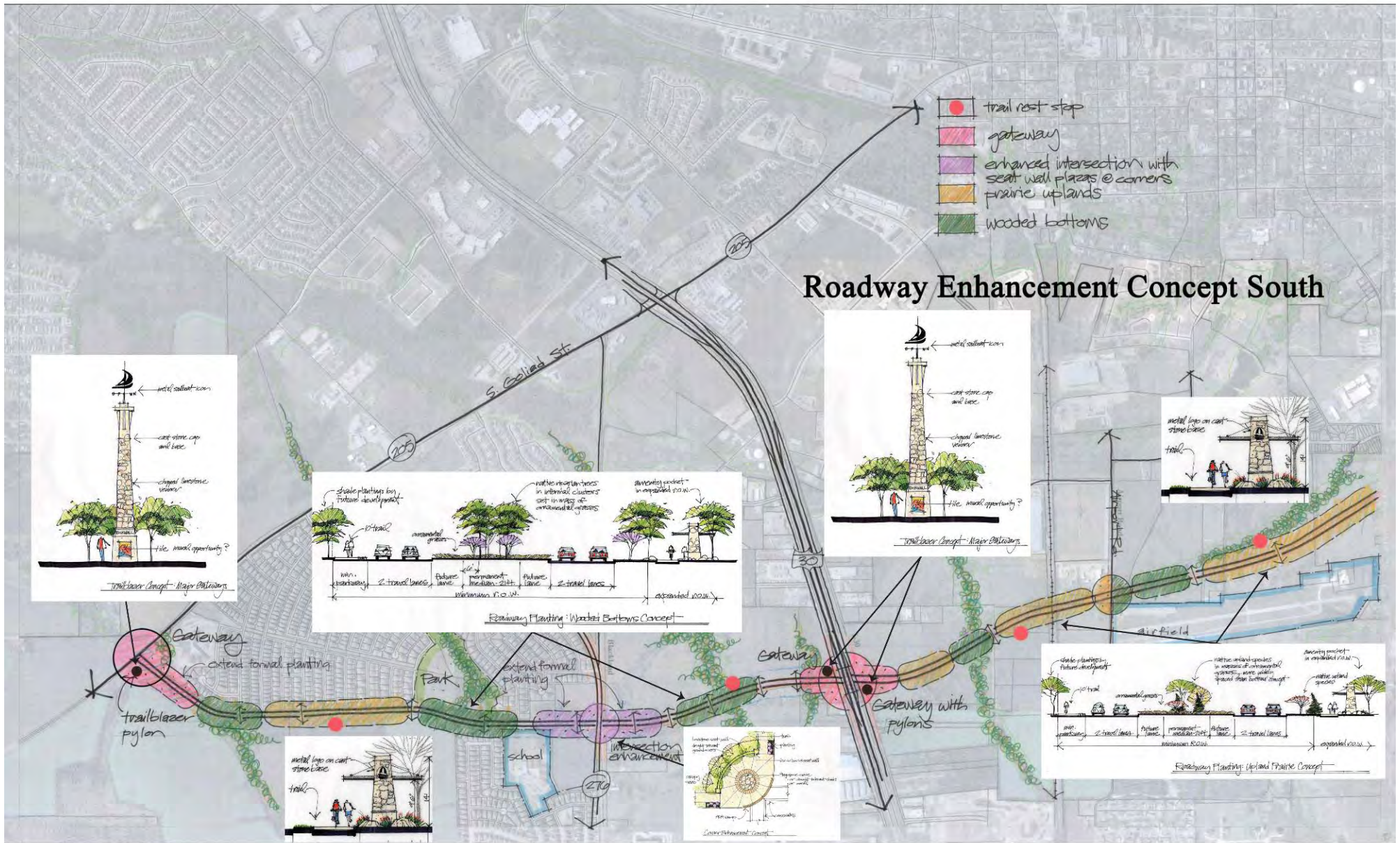
4. DESIGN ELEMENTS

Gateway Pylon Concept

- North Goliad @ Bypass
- South Goliad @ Bypass
- I-30 @ Bypass (2)







Roadway Enhancement Concept South

JOHN KING BOULEVARD CONCEPT

CITY OF ROCKWALL TEXAS

TOWNSCAPE, INC.

 Rockwall Comprehensive Plan 2011

 Appendix "C"

CITY OF ROCKWALL

ORDINANCE NO. 14-_____

SUP NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "MOTOR VEHICLE DEALERSHIP, NEW" ON A TRACT OF LAND BEING A TOTAL OF 12.6114-ACRES AND FURTHER IDENTIFIED AS A 5.0966-ACRE PORTION OF TRACT 2 OF THE J. LOCKHART SURVEY, ABSTRACT NO. 134 AND A 7.5148-ACRE PORTION OF LOT 3 OF THE J.M. ALLEN SURVEY, ABSTRACT NO. 2, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" AND FURTHER DEPICTED IN EXHIBIT "B" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) for a "Motor Vehicle Dealership, New" within the Commercial (C) District has been requested by John Spiars with Spiars Engineering on behalf of the Owner Cambridge Company, on a tract of land being a total of 12.6114-acres and further identified as a 5.096-acre portion of Tract 2 of the J. Lockhart Survey, Abstract No. 134, and 7.5148-acre portion of Lot 3 of the J.M. Allen Survey, Abstract No. 2, and more specifically described in Exhibit "A" and further depicted in Exhibit "B" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a "Motor Vehicle Dealership, New" within the Commercial (C) District for the *Subject Property*; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Article V, Section 4.5, Commercial District** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended, and as may be amended in the future, and shall be subject to the additional following additions:

1. The SUP is for the proposed land use only (i.e. "Motor Vehicle Dealership, New").
2. A development for a new motor vehicle dealership shall provide, and maintain in an

easement, a corner enhancement Gateway Pylon & Freestanding Wall Element as conceptually rendered or of similar quality as per the John King Blvd Design Guidelines Concept Plan located in the City's 2011 Comprehensive Plan; and as attached hereto as Exhibit 'C'.

3. Future site plan submittal and approval shall be required, including Architectural Review and adherence to all standards specified in the IH-30 Overlay district and other sections of the Unified Development Code.
4. Submittal and approval of engineering plans and final plat prior to the issuance of a building permit.
5. The SUP shall expire if development has not commenced within three (3) years from the approval date of the SUP ordinance.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this ___ day of _____, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: _____

2nd Reading: _____

Exhibit 'A' – pg. 1

BEING all that certain lot, tract or parcel of land situated in the J. Lockhart Survey, Abstract No. 134 and the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas and being a portion of a tract of land described as Tract A in deed to the Cambridge Companies, Inc. Trustee recorded in Volume 101 at Page 795 of the Deed Records of Rockwall County, and being a portion of a tract of land described as Tract B in deed to the Cambridge Companies, Inc. Trustee recorded in Volume 99, Page 1022, Deed Records of Rockwall County and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with yellow cap found for corner in the Southeast right-of-way line of Interstate Highway No. 30 (a variable width right-of-way), for the Northwest corner of said Cambridge Companies, Inc. Trustee recorded in Volume 101 at Page 795 of the Deed Records of Rockwall County, Texas, same being the called Northeast corner of a the 8.686 acre tract conveyed to Glocal Development, LLC, a Delaware limited liability Company, by Deed recorded in Instrument No. 2007-00385473 of the Deed Records of Rockwall County, Texas;

THENCE North 72° 46' 20" East along the said Southeast right-of-way line of Interstate Highway No. 30 and being common to the Northerly line of aforesaid Tract A, for a distance of 412.71 feet to a broken concrete monument found for corner;

THENCE North 73° 11' 37" East and continuing along the said Southeast right-of-way line of Interstate Highway No. 30 and common to the Northerly line of aforesaid Tract A, for a distance of 99.67 feet to a 5/8" iron rod with yellow cap found for the Northwest end of a corner clip at the intersection of said Southeast right-of-way line of Interstate Highway 30 and State Highway No. 205 Extension;

THENCE South 52° 50' 14" East and departing the said Southeast right-of-way line of Interstate Highway 30 and following along said corner clip for a distance of 74.20 feet to a 5/8" iron rod with yellow cap found corner in the Westerly line of said State Highway No. 205 Extension;

THENCE South 00° 20' 36" East along the Westerly line of said State Highway No. 205 Extension for a distance of 89.97 feet to a 5/8" iron rod with yellow cap found for corner;

THENCE South 03° 30' 47" East and continuing along the Westerly line of said State Highway No. 205 Extension for a distance of 100.08 feet to a 5/8" iron rod with the yellow cap found for corner;

THENCE South 00° 20' 18" East and continuing along the Westerly line of said State Highway No. 205 Extension for a distance of 229.06 feet to a 5/8" iron rod with yellow cap found corner in the common line of aforesaid Tract A and Tract B, same being the beginning of a curve to the left having a radius 2010.00 with a central angle 15° 17' 59" and a chord bearing South 07° 59' 18" East at a distance of 535.14 feet;

THENCE Southeasterly along said curve to the left and the Westerly line of said State Highway No. 205 Extension, for a an arc distance of 536.73 feet to a 5/8" iron rod set for corner,

THENCE South 72° 08' 06" West and departing the Westerly line of said State Highway No. 205 Extension for a distance of 207.90 feet to a 5/8" iron rod set for corner, same being the beginning of a

Exhibit 'A' – pg. 2

curve to the left having a radius 50.00 with a central angle $90^{\circ} 00' 00''$ and a chord bearing North $62^{\circ} 51' 54''$ West at a distance of 70.71 feet;

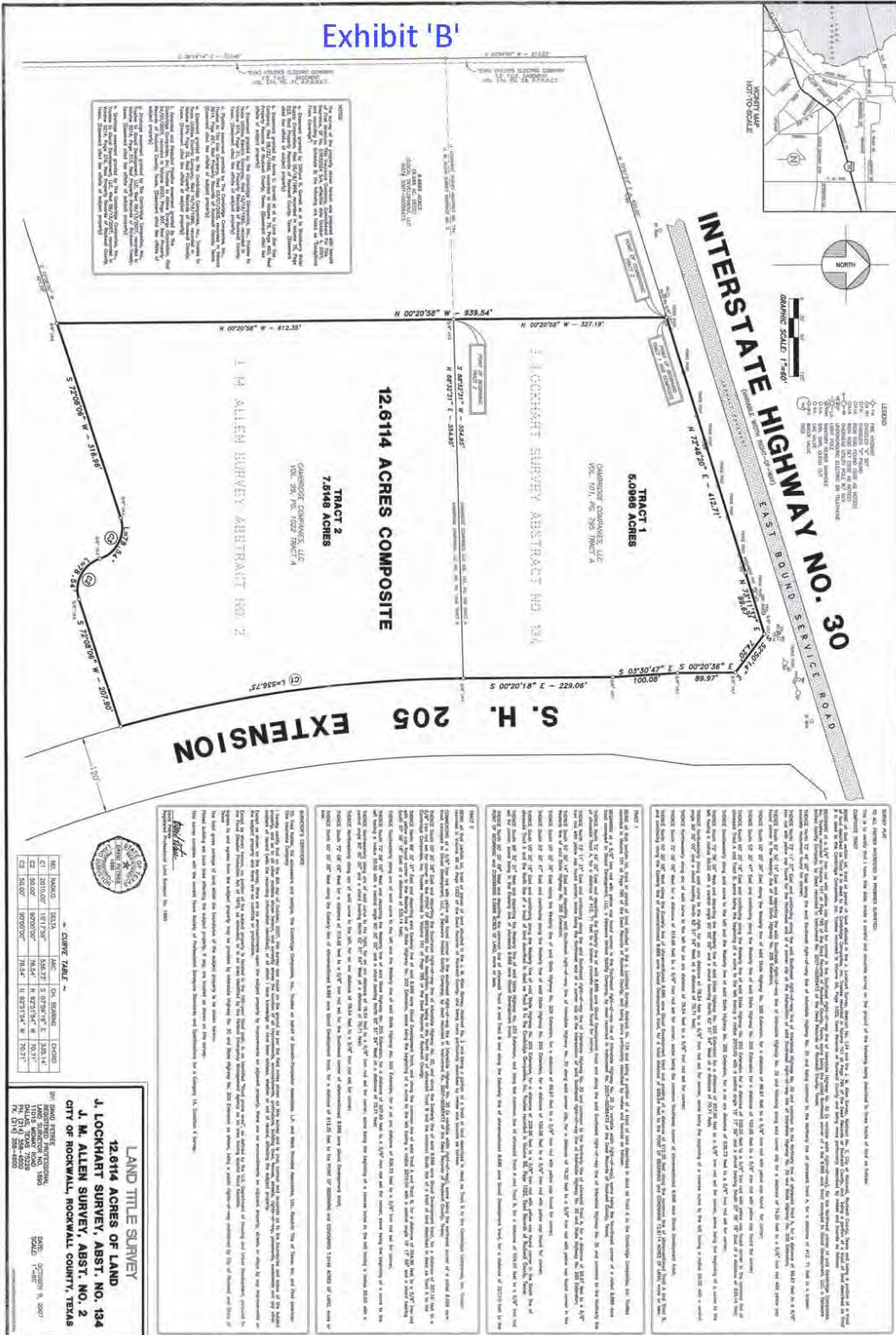
THENCE Northwesterly along said curve to the right, for an arc distance of 78.54 feet to a $5/8''$ iron rod set for corner, same being the beginning of a reverse curve to the left having a radius 50.00 with a central angle $90^{\circ} 00' 00''$ and a chord bearing North $62^{\circ} 51' 54''$ West at a distance of 70.71 feet;

THENCE Northwesterly along arc of said curve to the left for an arc distance of 78.54 feet to a $5/8''$ iron rod set for corner;

THENCE South $72^{\circ} 08' 06''$ West for a distance of 316.96 feet to a $5/8''$ iron rod set for corner, same being the common Southeast corner of aforementioned 8.686 acre Global Development tract;

THENCE North $00^{\circ} 20' 58''$ West along the Easterly line of aforementioned 8.686 acre Global Development tract and passing at a distance of 612.35 feet along the common line of aforementioned Tract A and Tract B, and continuing along the Easterly line of aforementioned 8.686 acre Global development tract, for a total distance of 939.54 feet to the POINT OF BEGINNING and CONTAINING 12.6114 ACRES OF LAND, more or less.

Exhibit 'B'





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 of Architects
 3010 LED FREEMAN
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 DALLAS, TX 75234
 972-661-5481
 FAX 972-661-5449

FENTON MOTOR GROUP – ROCKWALL
 GATEWAY PYLON CONCEPT
 NOT TO SCALE

DATE: 12/04/2013

D13049

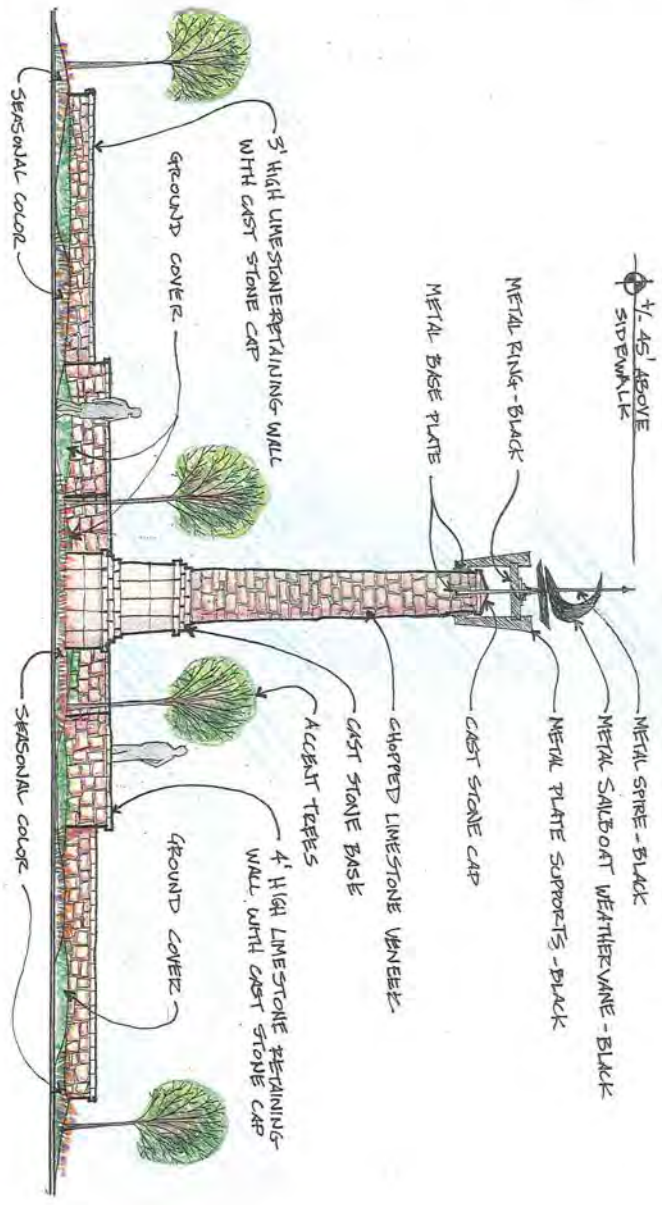


Exhibit 'C' – pg. 2



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 DALLAS, TX 75234
 972-681-5461
 FAX 972-681-5448

FENTON MOTOR GROUP – ROCKWALL
 GATEWAY SITE LANDSCAPE CONCEPT
 NOT TO SCALE

DATE: 12/04/2013

0130799



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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 12/16/2013

APPLICANT: J.D. Jacobs, Jr.

AGENDA ITEM: **Z2013-035**; Rezone from SF-7 to RO

SUMMARY:

Hold a public hearing to discuss and consider a request by J. D. Jacobs, Jr. for the approval of a zoning change from Single Family 7 (SF-7) District to a Residential-Office (RO) District for a 0.661-acre tract of land identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, located east of the intersection of Peters Colony Drive and E. Bourn Street, and take any action necessary.

BACKGROUND INFORMATION:

The subject property is a 0.661-acre tract of land identified as a portion of Lot 3 and all of Lot 4, Block G of the Sanger Addition and situated within the Southside Residential Neighborhood Overlay (SRO) District. The vacant lot is zoned Single-Family (SF-7) District and is located along the 500 Block of E. Bourn Street. The City's Comprehensive Plan's Future Land Use Map designates this property as Medium Density Single Family Residential.

The purpose of the request is to change the zoning from a Single-Family Residential (SF-7) District to a Residential Office (RO) District for the purpose of developing an office styled building consistent with the requirements of the RO zoning, which allows for certain low intensity type of small business uses within the proposed district. Based on the applicants' letter of request, the office building will be approximately 5000 sq-ft in size and he is considering a relocation of his business operation to this location or leasing the available space. Staff has provided a highlighted Land Use Chart indicating the uses that are "Permitted" by right (P), uses requiring a "Specific Use Permit" (S), and uses which are "Accessory" to the primary use (A) within the Residential Office (RO) district for your review and consideration.

In your packet are the standards for the Residential Office (RO) District, as well as the Land Use Table designating the appropriate uses within the RO district, a letter from the applicant requesting the zoning change, a boundary survey, and a legal description for your review. Based on the applicant's request for the zoning change, the Planning and Zoning Commission and City Council would only be considering the proposed land use at this time. A full site plan submittal and platting would be considered at a future date.

ADJACENT LAND USES:

The land uses adjacent to the subject property are as follows:

North: Directly north of and adjacent to the subject property is St. Paul A.M.E. Church and is zoned Single Family Residential (SF-7) District.

South: Directly south of the subject property are various businesses located within PD-52 that have an underlying zoning of Heavy Commercial (HC) District.

East: Directly east of and adjacent to the subject property is a single family home zoned Single Family Residential (SF-7) District.

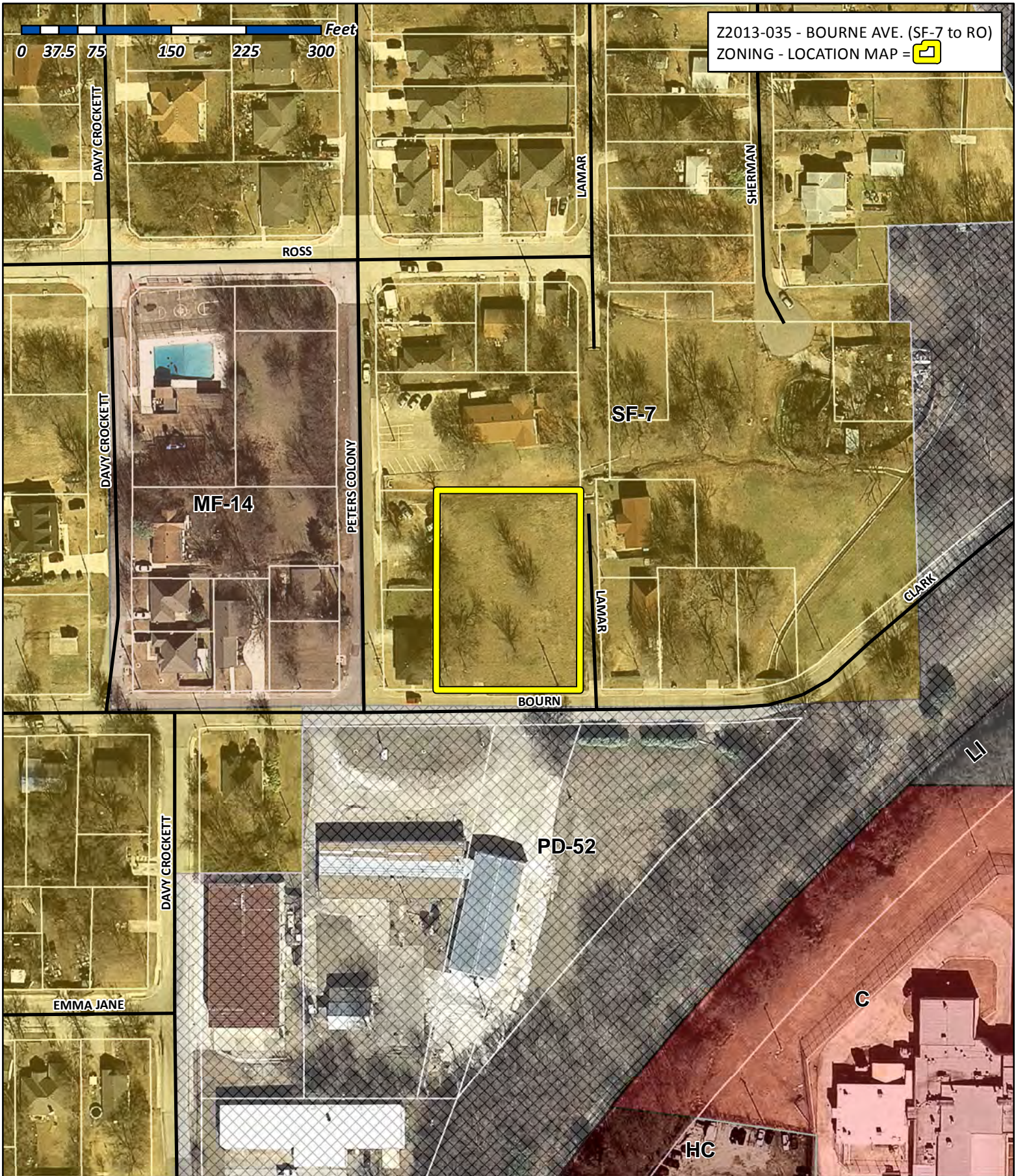
West: Directly west of and adjacent to the subject property is a single family home zoned Single Family Residential (SF-7) District.

NOTIFICATION:

A public notice has been published in the Rockwall County News on November 28, 2013, on the City's web-site, and a sign has been posted on the property. Also, written notices have been mailed to nineteen (19) property owners within 200-ft of the subject property as required by law. At time of this report, staff has received one (1) response "in favor" of the request.

RECOMMENDATIONS:

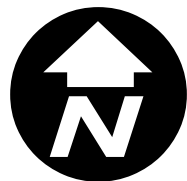
On December 10, 2013, the Planning and Zoning Commission recommended approval of the zoning change by a vote of 5 to 0 (McCutcheon & Conley – absent).



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

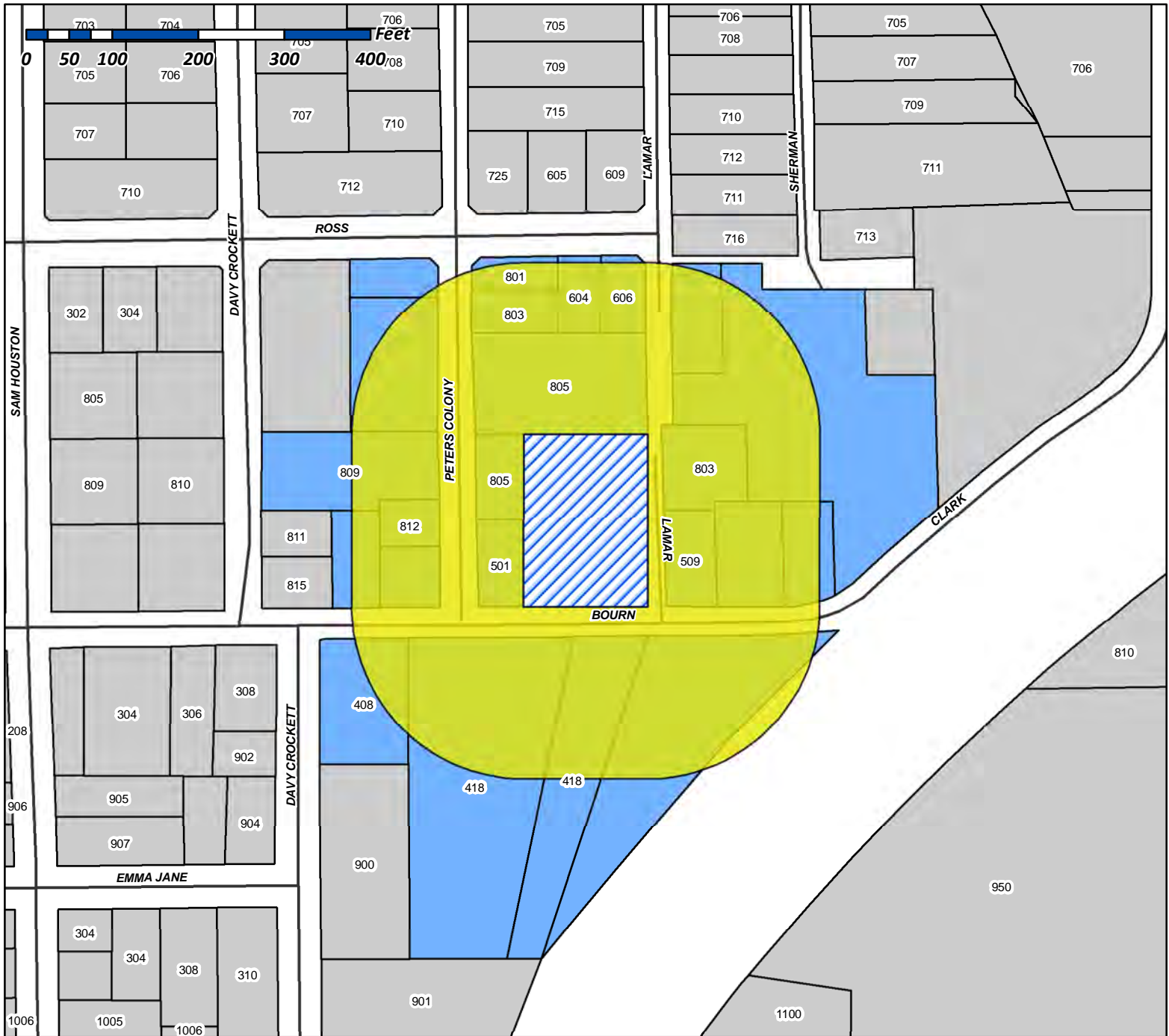




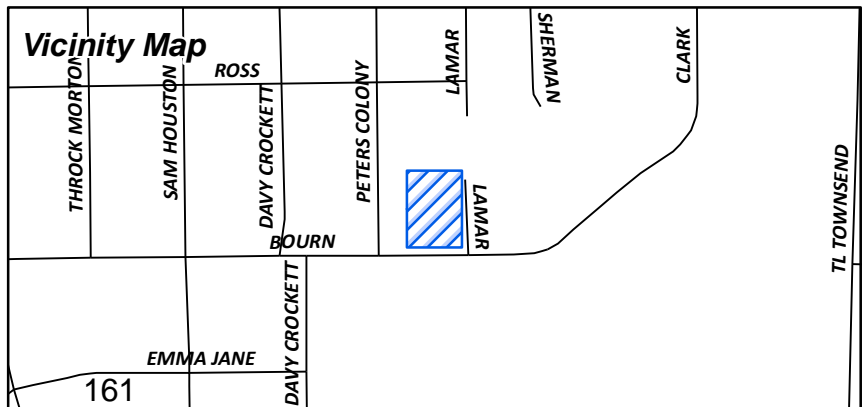
City of Rockwall

Planning & Zoning Department
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Case Number: Z2013-035
Case Name: Rezone (SF-7 to RO)
Case Type: Zoning
Zoning: SF-7
Case Address: East Bourne Avenue



Date Created: 11/19/2013
For Questions on this Case Call (972) 771-7745

CROSS_REF	NAME	legal_desc	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP
0255-0000-0037-02-OR	ANGULAR PIEDRA A/G	A0255 B J T LEWIS, TRACT 37-2, ACRES 1.434		418 E BOURN ST	ROCKWALL	TX	75087
0255-0000-0037-00-OR	PIEDRA ANGULAR AG A CORP	A0255 B J T LEWIS, TRACT 37, ACRES .554		418 E BOURN ST	ROCKWALL	TX	75087
0255-0000-0014-00-OR	ANGULAR PIEDRA A/G	A0255 B J T LEWIS, TRACT 14, ACRES 0.68		418 E BOURN ST	ROCKWALL	TX	75087
3140-0112-000D-00-OR	BUFFINGTON LEE SAMUEL ETAL	B F BOYDSTON, BLOCK 112, LOT D		509 E BOURN ST	ROCKWALL	TX	75087
3140-0112-000E-00-OR	GARRETT MAMIE W	B F BOYDSTON, BLOCK 112, LOT E, ACRES 0.25	C/O TONY ELLIS	705 DAVY CROCKETT ST	ROCKWALL	TX	75087
4900-000H-002B-00-OR	JOHNSON MELDRIA	SANGER, BLOCK H, LOT 2B & 1C		809 DAVY CROCKETT	ROCKWALL	TX	75087
4900-000H-0003-A0-OR	JOHNSON MELDRIA	SANGER, BLOCK H, LOT PT 3		809 DAVY CROCKETT	ROCKWALL	TX	75087
4900-000H-0003-C0-OR	FORD LILLIE RUTH THOMPSON	SANGER, BLOCK H, LOT E 70' OF S 25' OF 3, E 70' OF N 30' OF 4		9218 LINDA VISTA DR	ROWLETT	TX	75088
4900-000H-004B-A0-OR	SHEPHERD PLACE HOMES INC	SANGER, BLOCK H, LOT PT OF 4B		620 ROWLETT RD	GARLAND	TX	75043
4900-000H-0003-B0-OR	ROCKWALL HOUSING DEV CORP	SANGER, BLOCK H, LOT PT OF 3	A TEXAS NON-PROFIT CORP OF RW	787 HAIL DR	ROCKWALL	TX	75032
4900-000G-0003-B0-OR	JACOBS J D JR & OLLIE M	SANGER, BLOCK G, LOT E 145' OF 3, 4		5961 CONNIE LN	ROCKWALL	TX	75032
4900-000G-0004-A0-OR	MARTIN HELEN	SANGER, BLOCK G, LOT W 55' OF 4		501 E BOURN ST	ROCKWALL	TX	75087
3476-000A-0002-00-OR	FISHER JESSICA	DABNEY ADDITION, BLOCK A, LOT 2		803 PETERS COLONY	ROCKWALL	TX	75087
4900-000G-0003-A0-OR	ST PAUL AFRICAN METHODIST	SANGER, BLOCK G, LOT W 55' OF 3	EPISCOPAL CHURCH	805 PETERS COLONY	ROCKWALL	TX	75087
4900-000G-0002-00-OR	ST PAUL AFRICAN METHODIST	SANGER, BLOCK G, LOT 2, ACRES .459, EXEMPT	EPISCOPAL CHURCH	805 PETERS COLONY	ROCKWALL	TX	75087
4900-000G-0001-A0-OR	DABNEY TERESA A	SANGER, BLOCK G, LOT W 1/2 OF E 1/2 OF 1		2824 MISTY RIDGE LN	ROCKWALL	TX	75032
4900-000H-001B-00-OR	COLEMAN JACQUELYN W	SANGER, BLOCK H, LOT 1B		15320 BITTERSWEET RD	BROOKFIELD	WI	53005
3476-000A-0001-00-OR	HASS DANIEL & AMBER	DABNEY ADDITION, BLOCK A, LOT 1		801 PETERS COLONY	ROCKWALL	TX	75087
4900-000G-0001-C0-OR	UPPER ROOM TEMPLE HOLYNESS	SANGER, BLOCK G, LOT E/2 OF 1, EXEMPT	CHURCH	606 E ROSS ST	ROCKWALL	TX	75087
3140-0112-000I-00-OR	ROCKWALL HABITAT FOR HUMANITY	B F BOYDSTON, BLOCK 112, LOT I		PO BOX 4	ROCKWALL	TX	75087
3170-0000-0ALL-00-OR	SHAW JERRY GAIL	BUFFINGTON, LOT ALL, ACRES 0.21		803 LAMAR ST	ROCKWALL	TX	75087
3140-0112-000F-00-OR	ROCKWALL ISD TR	B F BOYDSTON, BLOCK 112, LOT F, ACRES .160		FOR ROCKWALL TAXING ENTITIES			0
3140-0112-000G-00-OR	ROCKWALL ISD, TRUSTEE	B F BOYDSTON, BLOCK 112, LOT G, ACRES 1.1209					0
0255-0000-0035-00-OR	WALTER MARY	A0255 B J T LEWIS, TRACT 35, ACRES 0.25		408 E BOURN ST	ROCKWALL	TX	75087

Gonzales, David

From: Michael Hunter <michael@hunter-hunter.com>
Sent: Tuesday, December 10, 2013 4:05 PM
To: Gonzales, David
Subject: Pubic Comment on Case No. Z2013-035

To David Gonzales:

From: Michael Hunter, Contract Executive Director, Rockwall Housing Development Corporation Owner of 403, 405, and 407 Bourn Street

RE: Public Comment on Case No. Z2013-035: Zoning Change (SF-7 to RO) in response to a mailed request for comment

I am in favor of the above referenced zoning change for the following reasons: Changing the zoning from SF-7 to RO, as long as the design of the building(s) to be built on the property is in an architectural style that reflects and supports the surrounding community, should not lead toward or result in a reduction in property values for surrounding properties. Rather, it may very well increase property values as other neighboring property owners request similar zoning changes in the future. RO zoning is more flexible than SF-7 and allows the property owners to market their properties to a wider market. Immediately across the street from the subject property there is Planned Development zoning and the RO designation for the subject property should not negatively affect the value or use of properties located in that zoning.

The property owned by the Rockwall Housing Development Corporation located at 403, 405 and 407 Bourn is zoned MF14 as is the property immediately adjacent to our property to the West. I do not believe the requested change from SF 7 to RO on the subject property would be detrimental either to our property or to other properties in the immediate area.

The only caveat, I would add to the above is that the City needs to make sure that the property identified as 803 Lamar should continue to have access to Bourn Street and that future development in the proposed RO zoning does not impede the ingress or egress to that property.

In conclusion, in my opinion, any zoning action, such as the one being requested, which could potentially improve the surrounding community by increasing property values, providing more flexibility of use, and broadening the marketability of the area without negatively affecting the value or condition of surrounding properties should be seriously considered.

EXHIBIT "A"

DESCRIPTION

All that certain lot, tract or parcel of land situated in the City of Rockwall, in the J.T. LEWIS SURVEY, ABSTRACT NO. 255, Rockwall County, Texas, and being a part of Lots 3 and 4, Block G, of SANGER BROTHERS ADDITION, an Addition to Rockwall, Texas, according to the Plat thereof recorded in Volume Q, Page 100 and 101 of the Deed Records of Rockwall County, Texas, and being the residue of that tract of land as described in a Sherriff's deed to Bob Perry, dated February 5, 1917, and being recorded in Volume 17, Page 32 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the Southeast corner of Lot 4, Block G, at the intersection of the West margin of Lamar Avenue and the North right-of-way line of E. Bourn Avenue,

THENCE WEST along the North line of E. Bourn Avenue a distance of 143.90 feet to a 1/2" iron rod set for corner at the Southeast corner of a tract of land as described in a Warranty deed from Billy W Peoples to St. Paul A.M.E Church, as recorded in Volume 166, Page 635 of the Deed Records of Rockwall County, Texas, said point being East, 55.00 feet from a 1/2" iron rod found for corner at the Southwest corner of said Lot 4, Block G.

THENCE NORTH a distance of 200.00 feet to a 1/2" iron rod set for corner at the Northeast corner of said St Paul A.M.E Church tract, said point being in the South line of Lot 2.

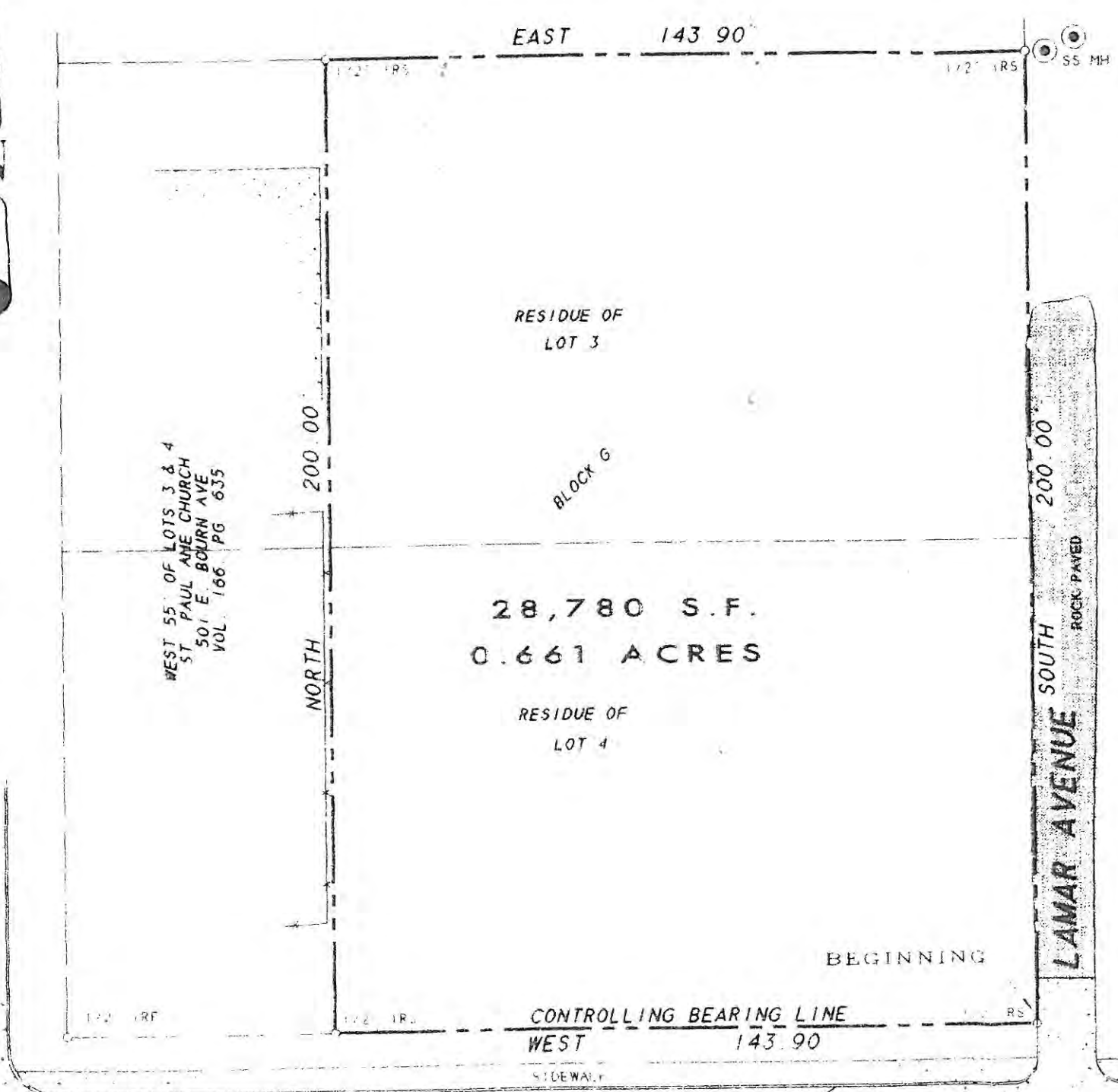
THENCE EAST along the common line between said Lots 2 and 3, a distance of 143.90 feet to a 1/2" iron rod set for corner in the West margin of said Lamar Avenue;

THENCE SOUTH, along the West margin of Lamar Avenue a distance of 200.00 feet to the POINT OF BEGINNING and containing 28,780 square feet or 0.661 acres of land, more or less.

PETERS COLONY STREET



ST. PAUL AME CHURCH
LOT 2



RESIDUE OF
LOT 3

BLOCK G

28,780 S.F.
0.661 ACRES

WEST 55' OF LOTS 3 & 4
ST. PAUL AME CHURCH
501 E. BOURN AVE.
VOL. 166 PG. 635

NORTH
200.00

SOUTH
200.00
LAMAR AVENUE
ROCK PAVED

E BOURN AVENUE
CONCRETE PAVED

CONTROLLING BEARING LINE
WEST 143.90

BEGINNING

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THENCE SOUTH, along the West margin of Lamar Avenue a distance of 200.00 feet to the POINT OF BEGINNING and containing 28,780 square feet or 0.661 acres of land.

NOTES

- 1) According to FEMA Flood Insurance Rate Map, Community Panel No. 480547 0005 C, dated June 16, 1992, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE RECORDED PLAT

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat of the property surveyed for ROCKWALL COUNTY ABSTRACT & TITLE CO., and J.D. JACOBS of Part of Lots 3 & 4 BLOCK G of SANGER BROS ADDITION, Rockwall, Texas, is true and correct, there are no visible or apparent encroachments, protrusions or conflicts from adjoining owners or easements (other than shown) and the same was surveyed by me on the ground the 25th day of September 1997.

Harold D. Fetty III
Harold D. Fetty III RPLS No. 5034



SURVEY DATE SEPT 25 1997
SCALE 1" = 30' FILE # 97-031
CLIENT JACOBS GF # 27

ROCKWALL SURVEYING COMPANY, INC.
2231 RIDGE ROAD, SUITE 202 ROCKWALL, TEXAS 75087 PHONE (972) 722-1871 FAX (972) 722-1878

Table 1 Land Use Tables
Revised 4-4-2011

P = Permitted A = Accessory Use S = SUP "+" = Permitted with Conditions

Residential										Permitted Uses	Mixed Use		Commercial				Industrial		
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Rural & Animal-Related	DT	R-O	N-S	GR	C	HC	RT	LI	HI
P	P	P	P	P	P	P	P	P	P	Agricultural Uses on Un-Platted Land		P	P	P	P	P	P	P	P
S	S									Animal Boarding/Kennel with Outside Pens									
P	S									Animal Boarding/Kennel without Outside Pens			S	S	P	P		P	P
S										Animal Clinic for small animals, no outdoor pens +			S	P	P	P		P	S
S										Animal Hospital, Clinic				S	S	P		P	P
S										Animal Production									
S										Animal Shelter								P	P
P										Crop Production									
P	S									Horse Corral or Stable (Commercial)+									
P	P	S								Horse Corral or Stable (Private) +									
S	S									Wholesale Nursery for Growing of Plants, No Retail Sale on Site									

Amendments

- Jan 3, 2006 (Ord 06-01)
- April 17, 2006 (Ord 06-14)
- Feb 5, 2007 (Ord 07-06)
- June 4, 2007 (Ord 07-18)
- Oct 15, 2007 (Ord 07-41)
- Jan 22, 2008 (Ord 08-05)
- Oct 20, 2008 (Ord 08-56)
- July 6, 2010 (Ord 10-14)
- Dec 6, 2010 (Ord 10-32)
- April 4, 2011 (Ord 11-13)

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Residential										Permitted Uses	Mixed Use		Commercial				Industrial		
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Residential & Lodging	DT	R-O	N-S	GR	C	HC	RT	LI	HI
	P	P	P	P	P	P	P	P	P	Accessory Building +		P	P	P	P	P	P	P	P
S	S					S				Bed & Breakfast Operation +	S	P	S						
										Caretakers Quarters/Domestic or Security Unit	P			P	P	P	P	P	P
P									P	Convent or Monastery		P		P	P				
								P	P	Duplex +									
A	A	A	A	A	A	A	A	A	A	Garage	A	A	A	A	A	A	A	A	A
A	A	A	A	A	S	S	S	S	P	Guest Quarters/ Secondary Living Unit +									
P	P	P	P	P	P	P	P	P	P	Home Occupation +	P	P							
										Hotel	S			S	S			S	
										Hotel, Full Service	S			S	S			S	
										Hotel, Residence	S			S	S			S	
										Motel	S			S	S			S	
									P	Multi-Family									
	P	P		P	P	P	P	P		Portable Building +									
									P	Residential Care Facility		S	S	S	S				
S										Single Family on less than the minimum size lot +									
							P	P	P	Single Family, Attached +									
P	P	P	P	P	P	P	P	P	P	Single Family, Detached +		P							
							P	P	P	Single Family, Zero Lot Line +		P							
A	A	A	A	A	A	A	A	A	A	Swimming Pool, Private	A	A							
A	S	S	S	S	S	S	S	S	S	Tennis Court Private		S							
									P	Townhouse	P	P							
									S	Urban Residential +	P								

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Residential										Permitted Uses	Mixed Use		Commercial				Industrial			
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Institutional & Community Service	DT	R-O	N-S	GR	C	HC	RT	LI	HI	
									P	Assisted Living Facility +		P	S	P	P					
										Blood Plasma Donor Center				P	P	P			P	P
S										Cemetery/ Mausoleum +			P	P	P	P			P	P
S	S	S	S	S	S	S	S	S	P	Church/House of Worship +	S		P	P	P	P			P	P
										College, University, or Seminary	P				S	P	P	P	P	P
										Convalescent Care Facility/Nursing Home +	S	P	P	P	P	P	S	S		
										Crematorium (Stand-Alone)									S	P
S	S	S	S	S	S	S	S	S	S	Day Care (7 or More Children)+	S	S	P	P	P	P	P	A	S	S
										Emergency Ambulance Services, Ground				P	P	P			P	P
P	P	P	P	P	P	P	P	P	P	Group or Community Home+		P	P	P						
										Government Facility	S			P	P	P	P	P	P	P
										Halfway House +		S								
									S	Hospice			P	P	P	P	S	S	S	
										Hospital				P	P	P	P	P	P	S
										Library, Art Gallery or Museum (Public)	P	P	P	P	P	P	P	P	P	P
										Mortuary or Funeral Chapel (Stand-alone)				P	P	P	S	P		
										Post Office, Local Service	P		P	P	P	P	P	P	P	P
										Post Office, Regional						P	S	P	P	
										Prison/Custodial Institution						P	S	P	P	
S	S	S	S	S	S	S	S	S	S	Public or Private School, Primary +	S		P	P	P	P			P	
S	S	S	S	S	S	S	S	S	S	Public or Private School, Secondary +	S		P	P	P	P			P	
S	S	S	S	S	S	S	S	S	S	Public or Private School Temporary Education Building +			S	S	S	S				
										Rescue Mission or Shelter for the Homeless							S		P	P
										Social Service Provider, except Rescue Mission or Homeless Shelter				S		P			P	P

P = Permitted A = Accessory Use S = SUP "+" = Permitted with Conditions

<i>Residential</i>										<i>Permitted Uses</i>	<i>Mixed Use</i>		<i>Commercial</i>				<i>Industrial</i>		
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Office & Professional	DT	R-O	N-S	GR	C	HC	RT	LI	HI
										Financial Institution with Drive-Through +			S	P	P	P	P	P	P
										Financial Institution without Drive-Through	P		P	P	P	P	P	P	P
										Office, General	P	P	P	P	P	P	P	P	P
										Office Building, less than 5,000 s.f.	P	P	P	P	P	P	P	P	P
										Office Building, 5,000 s.f. or more	P	S	S	P	P	P	P	P	P

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Residential										Permitted Uses	Mixed Use		Commercial				Industrial			
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Recreation, Entertainment & Amusement	DT	R-O	N-S	GR	C	HC	RT	LI	HI	
										Carnival, Circus, or Amusement Ride, Temporary +	S		S	P	P	P	S	P	P	
										Commercial Amusement/ Recreation (Inside) +	S			S	P	P			P	P
										Commercial Amusement/ Recreation (Outside)				S	S	P			S	P
S	S	S	S	S	S	S	S	S	S	Community or Recreation Club, Public or Private (Accessory)	S		S	P	P	P	P	P	P	
S	S	S	S	S	S	S	S	S	S	Country Club, Private			S	S	S	P	S	P	P	
										Golf Driving Range			S	S	S	P	S	P	P	
P	P	P	P	P	P	P	P	P	P	Fund Raising Events by Non-Profit, Indoor or Outdoor, Temporary +	P	P	P	P	P	P	P	P	P	
										Gun Club, Skeet or Target Range (Indoor)				S	P	P			P	P
S										Gun Club, Skeet or Target Range (Outdoor)										S
									A	Health Club	P		S	P	P	P	P	P	P	
										Private Club, Lodge or Fraternal Organization	P		S	P	P	P			P	S
										Private Sports Arena, Stadium or Track					S	P			P	P
P	P	P	P	P	P	P	P	P	P	Public Park or Playground	P		P	P	P	P	P	P	P	
										Uses as defined in Chapter 27 of Code of Ordinances +									S	S
S	S	S	S	S	S	S	S	S	S	Tennis Courts (Not accessory to a public or private club)			S	S	S	P			P	P
										Theater	P			S	P	P			P	P

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Residential										Permitted Uses	Mixed Use		Commercial				Industrial											
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Retail & Personal Services										DT	R-O	N-S	GR	C	HC	RT	LI	HI
											Antique/Collectible Store	S		S	P	P	P											
											Astrologer, Hypnotist, or Psychic Art and Science	S	P	P	P	P												
											Banquet Facility	S			P	P	P											
											Beverage Service Facility, Portable +	S			S	S	S			S	P							
											Business School	P			P	P	P	P	P	P								
											Catering Service	A		S	P	P	P	S	P									
											Christmas Tree Sales Lot & Similar Uses, Temporary +	S		S	P	P	P	S	P	P								
											Copy Center	P		P	P	P	P	P	P	P	P	P	P	P				
											Display, Incidental +	P		P	P	P	P											
											Garden Supply/Plant Nursery			S	P	P	P			P								
											General Personal Service	P		P	P	P	P			S								
											General Retail Store	P	S	P	P	P	P			S	S							
											Hair Salon, Manicurist	P	S	P	P	P	P			S								
											Laundry, Drop-off/Pickup	P		P	P	P	P			P	P							
											Laundry, Self Service	P		P	P	P	P			P	P							
											Massage Therapist	P	P	P	P	P	P											
											Museum or Art Gallery (Private)	P	P	S	P	P			P	P								
											Night Club, Discoteque, or Dance Hall	S			S	P	P			S	S							
											Pawn Shop				S	S			P	P								
											Pet Shop			P	P	P	P											
											Private Club +	P		S	P	P	P	S	P	P								
P	P	P	P	P	P	P	P	P	P		Real Estate Sales Office, On-site, Temporary +	P		P	P	P	P	P	P	P	P	P	P	P				
											Rental Store, w/o Outside Storage and Display				S	P	P			P	P							

P = Permitted A = Accessory Use S = SUP "+" = Permitted with Conditions

Residential										Permitted Uses	Mixed Use		Commercial				Industrial		
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Retail & Personal Services, Continued	DT	R-O	N-S	GR	C	HC	RT	LI	HI
										Restaurant, Less than 2000 Sq. Ft., w/ Drive-Thru or Drive-in +			S	S	S	S		S	S
										Restaurant, Less than 2000 Sq. Ft., w/o Drive-Thru or Drive-in	P	S	P	P	P	P	P	P	P
										Restaurant, 2000 Sq. Ft. or more, w/ Drive-Thru or Drive-in +			S	S	P	P		P	P
										Restaurant, 2000 Sq. Ft. or more, w/o Drive-Thru or Drive-in	P		S	P	P	P	S	P	P
										Restaurant with accessory Private Club or Brew Pub +	P		P	P	P	P	S	P	P
										Retail store with gasoline product sales limited to 2 dispensers and 4 vehicles			S	P	P	P		P	P
										Retail store with more than 2 dispensers				S	P	P		P	P
										Secondhand Dealer	S			P	P	P		P	P
										Studio - Art, Photography or Music	P	P	P	P	P	P		P	
										Tailor, Clothing or Apparel Shop	P		P	P	P	P			
										Tattoo, Body Piercing							P		
										Taxidermist Shop							P		P
S										Winery +	S			S	S			P	P

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Residential										Permitted Uses	Mixed Use		Commercial				Industrial			
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Commercial & Business Services	DT	R-O	N-S	GR	C	HC	RT	LI	HI	
										Bail Bond Service					S	P			P	P
										Building & Landscape Material <i>with</i> Outside Storage									P	P
										Building & Landscape Material <i>with Limited</i> Outside Storage +					P	P			P	P
										Building Maintenance, Service & Sales <i>with</i> Outside Storage +									P	P
										Building Maintenance, Service & Sales <i>without</i> Outside Storage					P	P			P	P
										Cleaners, Commercial							S		P	P
										Commercial, Other than Listed							P		P	P
										Custom & Craft Work							P		P	P
										Electrical, Watch, Clock, Jewelry & Similar Repair	P		S	P	P	P			P	P
										Feed Store, Ranch Supply							P		S	P
										Food Processing							S		P	P
										Furniture or Cabinet Repair							P		P	
										Furniture Upholstery, Refinishing or Resale							P		P	
										Gunsmith Repair and Sales							P		P	
										Heavy Machinery & Equipment (Rental, Sales & Service)							P		S	P
										Locksmith	P			P	P	P			P	P
										Machine Shop							P		P	P
										Medical or Scientific Research Lab							P	P	P	P
										Manufactured Home Sales							S			P
										Research & Technology / Light Assembly					S	P	P	P	P	P
										Shoe and Boot Repair and Sales	P	S	P	P	P	P				
										Trade School	S			S	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	Temporary On-site Construction Office +	P			P	P	P	P	P	P	P

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<i>Residential</i>										<i>Permitted Uses</i>	<i>Mixed Use</i>		<i>Commercial</i>				<i>Industrial</i>		
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Auto & Marine-Related	DT	R-O	N-S	GR	C	HC	RT	LI	HI
										Auto Repair Garage, Major +						P		P	P
										Auto Repair Garage, Minor +	S			S	S	P		P	P
										Automobile Rental					S	P		P	P
										Boat & Trailer Dealership (New and Used) +					S	P		S	P
										Car Wash/Auto Detail +			S	S	P	P		P	P
										Car Wash, Self Service				S	P	P		P	P
										Motor Vehicle Dealership, New (Cars and Light Trucks) +					S	P		S	P
										Motor Vehicle Dealership, Used (Cars and Light Trucks) +						A		A	A
										Parking, Commercial	S				P	P		P	P
										Parking Lot, non-commercial	A		S	P	P	P	P	P	P
										Recreational Vehicle (RV) Sales and Service					S	P		S	P
										Service Station +			S	P	P	P		P	P
										Towing & Impound Yard +						S		S	P
										Towing Service, No Storage +						P		P	P
										Truck Rental						P		S	P
										Truck Stop with Fuel and Accessory Services +						S		S	P

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<i>Residential</i>										<i>Permitted Uses</i>	<i>Mixed Use</i>		<i>Commercial</i>				<i>Industrial</i>		
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Industrial & Manufacturing	DT	R-O	N-S	GR	C	HC	RT	LI	HI
S										Asphalt or Concrete Batch Plant +								S	S
P	P	P	P	P	P	P	P	P	P	Asphalt or Concrete Batch Plant, Temporary +			P	P	P	P	P	P	P
										Bottle Works, Milk or Soft Drinks								P	P
										Brewery or Distillery (Excluding Brew Pub)								P	P
										Carpet and Rug Cleaning						S		P	P
										Environmentally Hazardous Materials +						S		S	P
										Food Processing (No Slaughtering)						S		P	P
										Light Assembly & Fabrication						P	S	P	P
										Manufacturing, Heavy						S		S	P
										Manufacturing, Light						P	S	P	P
										Metal Plating, Electro Plating								S	P
S	S	S	S	S	S	S	S	S	S	Mining and Extraction (Sand, Gravel Oil & other) +			S	S	S	S	S	S	S
										Monument Works, Stone and Metal						S			P
										Printing & Publishing						P		P	P
										Salvage or Reclamation of Products (Indoors)						S		P	P
										Salvage or Reclamation of Products (Outdoors)								S	P
										Sheet Metal Shop						P		P	P
										Tool, Dye, Guage and Machine Shop								P	
										Welding Repair						P		P	P

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<i>Residential</i>										<i>Permitted Uses</i>	<i>Mixed Use</i>		<i>Commercial</i>				<i>Industrial</i>		
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Wholesale, Distribution & Storage	DT	R-O	N-S	GR	C	HC	RT	LI	HI
										Cold Storage Plant						P		P	P
										Heavy Construction Trade Yard						S		P	P
S										Landfill, Sanitary									
										Mini-warehouse +					S	P		P	P
										Outside Storage +						P		P	P
										Recycling Collection Center						S		P	P
										Warehouse/ Distribution Center						P	S	P	P
										Wholesale Showroom Facility					S	P		P	P

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Residential										Permitted Uses	Mixed Use		Commercial				Industrial			
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Utilities, Communications & Transportation	DT	R-O	N-S	GR	C	HC	RT	LI	HI	
										Airport, Heliport or Landing Field							S			S
P	S	S	S	S	S	S	S	S	P	Antenna, Accessory +		P	P	P	P	P	P	P	P	P
										Antenna, Commercial +	S	S		S	S	S	S	S	S	P
A	A	A	A	A	A	A	A	A	A	Antenna, Amateur Radio +	A	A	A	P	P	P	P	P	P	P
A	A	A	A	A	A	A	A	A	A	Antenna, Dish +	A	A	A	P	P	P	P	P	P	P
S										Antenna, Commercial, Free-Standing +				S	S	S	S	P	P	
										Antenna, Commercial, Mounted +	S			S	S	S	P	P	P	P
										Bus Charter Service & Service Facility						P		P	P	
										Helipad				S	S	S	S	S	S	S
S	S	S	S	S	S	S	S	S	S	Utilities (Non-Municipally owned or Controlled), including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	S	S	S	S	S	S	S	S	S	S
P	P	P	P	P	P	P	P	P	P	Municipally Owned or Controlled Facilities, Utilities and Uses	P	P	P	P	P	P	P	P	P	P
	S	S	S	S	S	S	S	S	S	Private Streets		S	S	S	S	S	S	S	S	S
										Radio Broadcasting	S			P	P	P	P	P	P	P
S	S	S	S	S	S	S	S	S	S	Railroad Yard or Shop		S	S	S	S	S	S	S	S	S
										Recording Studio	S			S	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	Satellite Dish +	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	Solar Energy Collector Panels and Systems +	P	P	P	P	P	P	P	P	P	P
										Transit Passenger Facility	S	S	S	S	S	S	S	S	S	S
										Trucking Company						P		P	P	
										TV Broadcasting & Other Communication Service	S			S	S	P	S	P	P	
S	S	S	S	S	S	S	S	S	S	Utilities Holding a Franchise from City of Rockwall	S	S	S	S	S	P	S	P	P	
S	S	S	S	S	S	S	S	S	S	Utility Installation, Other than Listed	S	S	S	S	S	S	S	S	S	S
S	S	S	S	S	S	S	S	S	S	Utility/ Transmission Lines	S	S	S	S	S	S	S	S	S	S
S	S	S	S	S	S	S	S	S	S	Wireless Communication Tower	S	S	S	S	S	S	S	S	S	S

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE FAMILY 7 (SF-7) DISTRICT TO A RESIDENTIAL-OFFICE (RO) DISTRICT FOR A TRACT OF LAND BEING A TOTAL OF 0.661-ACRES AND FURTHER IDENTIFIED AS A PORTION OF LOT 3 AND ALL OF LOT 4, BLOCK G, SANGER ADDITION, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from J.D. Jacobs, Jr. for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from a Single Family 7 (SF-7) District to a Residential-Office (RO) District for a tract of land being a total of 0.661-acres and further identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' and further depicted in Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from a Single Family 7 (SF-7) District to a Residential-Office (RO) District for the *Subject Property*, and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 4.2, "Residential-Office (RO) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

Section 3. That the official zoning map of the City be corrected to reflect the changes in the zoning described herein.

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 6th DAY OF JANUARY, 2014.

David Sweet, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *December 16, 2013*

2nd Reading: *January 6, 2014*

EXHIBIT "A"

DESCRIPTION

All that certain lot, tract or parcel of land situated in the City of Rockwall, in the J.T. LEWIS SURVEY, ABSTRACT NO. 255, Rockwall County, Texas, and being a part of Lots 3 and 4, Block G, of SANGER BROTHERS ADDITION, an Addition to Rockwall, Texas, according to the Plat thereof recorded in Volume Q, Page 100 and 101 of the Deed Records of Rockwall County, Texas, and being the residue of that tract of land as described in a Sherriff's deed to Bob Perry, dated February 5, 1917, and being recorded in Volume 17, Page 32 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the Southeast corner of Lot 4, Block G, at the intersection of the West margin of Lamar Avenue and the North right-of-way line of E. Bourn Avenue;

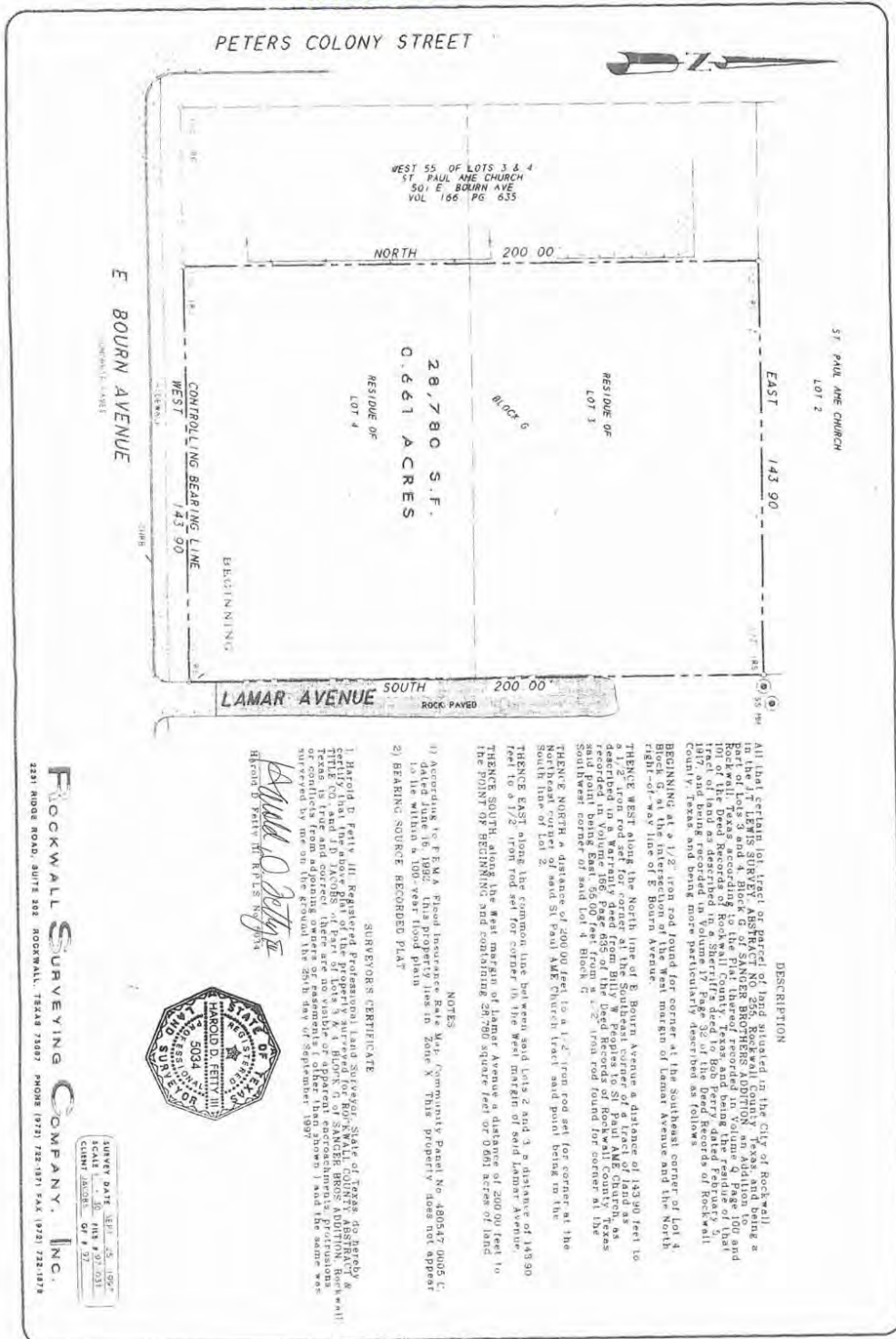
THENCE WEST along the North line of E. Bourn Avenue a distance of 143.90 feet to a 1/2" iron rod set for corner at the Southeast corner of a tract of land as described in a Warranty deed from Billy W Peoples to St. Paul A.M.E. Church, as recorded in Volume 166, Page 635 of the Deed Records of Rockwall County, Texas, said point being East, 55.00 feet from a 1/2" iron rod found for corner at the Southwest corner of said Lot 4, Block G.

THENCE NORTH a distance of 200.00 feet to a 1/2" iron rod set for corner at the Northeast corner of said St Paul A.M.E Church tract, said point being in the South line of Lot 2.

THENCE EAST along the common line between said Lots 2 and 3, a distance of 143.90 feet to a 1/2" iron rod set for corner in the West margin of said Lamar Avenue;

THENCE SOUTH, along the West margin of Lamar Avenue a distance of 200.00 feet to the POINT OF BEGINNING and containing 28,780 square feet or 0.661 acres of land, more or less.

Exhibit 'B'



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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Brad Griggs, Assistant City Manager

FROM: Andy Hesser, Parks and Recreation Manager

DATE: December 11, 2013

SUBJECT: AMENDED YOUTH SPORTS COACH'S ELIGIBILITY POLICY

BACKGROUND: In February of 2006, City Council approved Park Board's recommendation to establish a policy for Eligibility Criteria for Co-Sponsored Youth Sports Programs as a Coach. This policy was included as a requirement in the Facility Use Agreements between the City and Rockwall Baseball Association (RBA) and Rockwall Girls Softball Association (RGSA) since 2006 to present. Lake Pointe Church Youth Sports Program has had the same requirement in their Facility Use Agreement since 2011.

All volunteers wishing to coach for any of these entities must submit a background check form as well as a signed copy of the Coach's Eligibility Policy indicating that they have received it and read it. A firm selected by the City then conducts the search and reports the data back to the City. The policy recommends various waiting periods in determining applicant's eligibility. For example, Driving Under the Influence requires a three year waiting period before a coach is eligible.

At the August 2013 meeting, staff brought the policy before the Park Board to discuss needed amendments. The first issue concerned the members of the appeal board. The current policy states that the appeal board is made up of the Rockwall Police Chief or designee, a City of Rockwall Municipal Court Judge, a member of the Rockwall County District Attorney's office and a board member of the respective youth sports association i.e. RBA or RGSA. At this time, it was clear that pending budget approval the City would no longer contract with RBA and RGSA and would offer those services as a City operated program. Therefore the policy needs to reflect those changes.

The second issue was the need for further clarification of offenses that affect the eligibility of prospective coaches. There have been instances of offenses that show up on the criminal history search results that may not clearly fall under the category of Crimes of Moral Turpitude, such as certain assaults. An example is that a simple misdemeanor assault may not fall into the category of Crimes of Moral Turpitude as defined by the Texas Attorney General, but assault with a deadly weapon may qualify.

From the August meeting, Park Board's unanimous recommendation is as follows:

- The appeal board shall be the City of Rockwall Police Chief or designee, the City of Rockwall Municipal Judge and a three member subcommittee of the Park Board which shall be appointed by the Park Board Chairman.
- All assaults, family violence and crimes of a sexual nature should be considered on an appeal basis only.


Two other concerns were raised. The first being the need for a clear definition of Crimes of Moral Turpitude, the second was concerning non-disclosure orders issued by a judge in deferred adjudication cases.

In consultation with the City Attorney, the proposed policy amendments address the Park Board's recommendation and concerns by reflecting the changes in the Appeal Board membership; and including a definition and list of crimes that have been recognized under Texas Law as Crimes of Moral Turpitude that could affect the eligibility to serve as a coach or official.

In regards to non-disclosure orders, KRESS the company that the City has used to conduct criminal history searches, collects data from sites that provide public information only. According to KRESS, information that may be included in a judge's order for non-disclosure should not be available as public information through public data portals.

They also stated that their staff is trained to look for possible non-disclosure rulings and would therefore not include this information to the City in their report. Criminal history checks through KRESS are required to be in compliance with the Fair Credit Reporting Act (FCRA). Individuals who submit a form for a criminal history check are also provided a copy of their rights under the FCRA and the process for disputing any information reported by KRESS.

I have included a copy of the previously adopted policy as well as the proposed amended draft in your packet. Staff will be available to answer any questions you may have.

<p>The City of Rockwall</p> 	Parks, Recreation, and Streets Policies & Administrative Directives		
	Policy Number 1	Page # 1 of 1	Origination Date: 2/20/2006 Revision Date:
	Subject: <p style="text-align: center;">Eligibility Criteria for Co-Sponsored Youth Sports Programs as a Coach</p>		Date: _____ Director Signature

As a requirement of the 2006 adopted youth sports agreement with the RBA (Rockwall Youth Baseball Association) and RGSA (Rockwall Girls Softball Association), the eligibility of a coach or an official in the RBA and RGSA is based on the results of the criminal history background checks. A firm selected by the City will conduct the search and report the data back to the City. A coach, official or board member that is determined to be ineligible, shall not be allowed on the field of play during practices or games.

The term “crimes of moral turpitude” is used as a determining factor for eligibility. Moral turpitude is a legal term and has a recognized meaning. Examples include crimes such as murder, voluntary manslaughter and kidnapping. Potentially less serious crimes such as driving under the influence of alcohol, drug possession and other similar offenses are determined to be crimes of moral turpitude. Since particular crimes vary by name from state to state, this wide definition is recommended to be used when determining the eligibility to participate in the programs.


Since some potential participants and officials may have been convicted of crimes which are determined to be a “crime of moral turpitude”, time periods for certain crimes are established where an applicant that was convicted can still be eligible to participate. On the other hand, convictions of certain crimes may totally exclude an applicant. The following waiting periods from the date of a conviction will be used in determining an applicant’s eligibility.

- Driving Under the Influence/Driving While Intoxicated/misdemeanor 3 years
- Crime of Moral Turpitude 7 years
- Sexual Related Crime Appeal Only

Because of the variety of convictions and charges, any finding of “Deferred Adjudication” shall constitute a guilty verdict.

A potential applicant may appeal the staff decision to a four member panel for final determination. The appeal committee that is recommended would listen to an applicant’s plea for a variance from the policy and be used to interpret the policy and specific situations that may not be covered. The make-up of this appeal board is to be the City of Rockwall Chief of Police or his designated representative, the City of Rockwall Municipal Judge, a member of the Rockwall County District Attorney’s office and a Board Member from the respective association for which the applicant is requesting participation. The ruling by this committee is final.

Policy Adopted by Parks and Recreation Advisory Board: 2/07/06
Policy Adopted by the City Council: 2/20/06

<p>The City of Rockwall</p> 	Parks, Recreation, and Streets Policies & Administrative Directives		
	Policy Number 1	Page # 1 of 2	Origination Date: 2/20/2006 Revision Date: 12/10/2013
	Subject: AMENDED Eligibility Criteria for Youth Sports Programs as a Coach		Date: _____ Director Signature

The eligibility of a coach or an official in the City of Rockwall Baseball & Softball League (RBSL) is based on the results of a criminal history background check. A firm selected by the City will conduct the search and report the data back to the City. A coach or other official that is determined by city staff to be ineligible, shall not be allowed on the field of play during practices or games. A potential applicant may appeal the staff decision to a five member panel for final determination. The appeal panel would listen to an applicant's appeal of ineligibility taking into account the type and severity of the offense reported in the background check and all mitigating factors provided by the applicant. **The make-up of this appeal panel is to be the City of Rockwall Chief of Police or his designated representative, the City of Rockwall Municipal Judge, and a three member subcommittee of the Park Board which shall be appointed by the Park Board Chairman.** The ruling by appointed panel shall be final.

A person shall not be eligible to serve as a coach or official if they have been convicted of or received deferred adjudication community supervision for a crime involving moral turpitude. A person is considered to have been placed on deferred adjudication community supervision if, regardless of the statutory authorization:


- (1) the person entered a plea of guilty or nolo contendere;
- (2) the judge deferred further proceedings without entering an adjudication of guilt and placed the person under the supervision of the court or an officer under the supervision of the court;
- and
- (3) at the end of the period of supervision the judge dismissed the proceedings and discharged the person.

Moral turpitude is a legal term and has a recognized meaning to include:

- Dishonesty, fraud, deceit, misrepresentation or deliberate violence
- Matters of personal morality
- Conduct committed knowingly and contrary to justice, honesty, principle or good morals
- Baseness, vileness or depravity
- Conduct immoral in itself, regardless of whether it is punishable by law
- Immoral conduct that is willful, flagrant or shameless and shows a moral indifference to the opinion of the good and respectable members of the community

Under Texas Law the following crimes have been recognized as crimes of moral turpitude and shall affect the eligibility to serve as a coach or official:

- **Sexual assault of a child**
- **Lying to a police officer**
- **Mail fraud**

The City of Rockwall 	Parks, Recreation, and Streets Policies & Administrative Directives		
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- Tax evasion
- Prostitution
- Purchase of a child
- Indecent exposure
- Failure to stop & render aid
- Theft
- Aggravated assault
- Assault by a male on a female
- Communicating a false alarm
- Murder and indecent exposure
- Swindling
- Bank fraud
- Theft, shoplifting

The safety and protection of the participants in this league are paramount to the interests of coaches or officials. As such, some offenses that may not be crimes of moral turpitude are nonetheless determinative as to eligibility to participate as a coach or official in this league. Potential coaches or officials that may have been convicted or received deferred adjudication community supervision for certain crimes may apply if certain time periods have expired. These time periods run from the date of conviction or the date that the person was discharged from deferred adjudication community supervision. The following waiting periods will be used in determining applicant's eligibility.

- | | |
|---|----------|
| • Driving Under the Influence/Driving While Intoxicated/misdemeanor | 3 years |
| • Misdemeanor Crimes of Moral Turpitude | 7 years |
| • Felony Offenses not involving assaults or domestic violence | 10 years |

Potential coaches or officials that may have been convicted or received deferred adjudication community supervision for certain crimes may be totally excluded if the offense was of a sexual nature, a felony assault or felony domestic violence. Potential coaches or officials that may have been convicted or received deferred adjudication community supervision for these offenses can only participate if the appeal panel grants their appeal of ineligibility.

Printed Name: _____ *Signature & Date:* _____

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